


Braille Monitor



NOVEMBER, 1981

VOICE OF THE NATIONAL FEDERATION OF THE BLIND



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THE BRAILLE MONITOR

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NATIONAL FEDERATION OF THE BLIND

NOVEMBER 1981

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THE BRAILLE MONITOR

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* * *

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* * *

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* * *

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ISSN 0006-8829

NEW JERSEY COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED: ABUSES AND MISMANAGEMENT

by Kenneth Jernigan

Sometimes officials of the governmental and private agencies doing work with the blind throughout the country shake their heads and wonder why their image seems to be suffering—why so many of them have lost the support of the blind, why they have lost credibility with the public-at-large, and why they are having trouble getting contributions and appropriations. “After all,” they seem to be saying, “more money and more staff mean more services to blind people—better lives. And isn’t *quality services* and *professionalism* the name of the game?” But the moral bankruptcy of the agency system in this country has become so obvious that no amount of double talk and jargon can any longer conceal it. The mismanagement and abuse are too widespread, the exploitation too blatant, the lack of results too obvious.

Sensitive, well managed agencies are aware of all of this, and they deplore it as much as we do. Along with the blind they are increasingly determined to bring reform and restructuring. The alternative is ruin—the absolute destruction of the entire system. However, the old line, custodial agencies continue to hide their heads in the sand and try to pretend that everything is fine, nothing is wrong, business as usual. But the public-at-large (that great arbiter of governments and programs) is beginning to stir. The mismanagement and abuses are coming to light.

The New Jersey Commission for the Blind and Visually Impaired is a classic

example. For years the blind of the state have said that the agency was doing little to help them—no training, no opportunity, no understanding, no concern. The agency has always responded in the usual way: Everything was fine. The only problem was the complaining of the National Federation of the Blind—militant, irresponsible rabble-rousers. The blind of the state were happy, and the New Jersey Commission was a model for the nation.

Now, however, the lid is off; and it all hangs out. It develops (how often must the story be repeated before it is believed) that the National Federation of the Blind was right all along. The Attorney General of the state is investigating to see whether criminal acts and fraud have been committed. There is admitted mishandling of money and illegal spending by the agency of funds belonging to the state’s blind vendors. The picture that emerges is not so much one of corruption (although that cannot be ruled out until the investigation is finished) as it is of bumbling inefficiency—wasted money, lost motion, nothing accomplished, inability to carry out the most routine assignments—in short, a complete muddle and a total mess.

Yet, this is the outfit that so many other agencies throughout the country have praised and said was doing good work. For example, John Taylor (then Director of the Iowa Commission for the Blind) thought it would be a good idea to have Irving Kruger serve on an evaluation team a year or two

ago to tell the Iowa Commission how to improve its programs. Kruger was one of the top officials of the New Jersey Commission during the time covered by the audits documented in this article. It is now clear to everybody who cares to know (as it has been all along to the blind) that Kruger and the present Director of the New Jersey Commission and the whole New Jersey program are not something to follow as an example but to avoid as a warning and a lesson.

The facts speak for themselves. They need no embellishment. Under date of August 31, 1981, I received the following letter from Jim Sofka, President of the National Federation of the Blind of New Jersey.

Dear Dr. Jernigan:

Enclosed you will find copies of four articles which appeared in the *Newark Star Ledger*. These articles were the result of the NFB of New Jersey's asking the reporter, Guy Sterling, to investigate the actions of the New Jersey Commission for the Blind and Visually Impaired. The results were three articles appearing on Monday, August 17 through Wednesday, August 19.

The first article with the picture of Thomas Blume, President of the National Federation of the Blind Business Enterprises, appeared on the front page of the *Star Ledger*. The second article shows a picture of Norma Krajczar, Director of the New Jersey Commission for the Blind and Visually Impaired. The third article shows a picture of Lewis Griffin, Second Vice President of the National Federation of the Blind of New Jersey. These three articles resulted in an investigation of the Commission by the Attorney General's office.

The fourth article appeared on August 30

in the Sunday *Newark Star Ledger*. The investigation by the Attorney General's office is welcomed by the New Jersey NFB. Our hope is to maintain a separate Commission and to have a more efficient and knowledgeable director of the Commission.

Sincerely,
James Sofka, President
National Federation of the
Blind of New Jersey

**Agency for Blind Troubled by Sloppy
Fiscal Management**

by Guy Sterling

From the *Newark Star Ledger*
August 17, 1981
Star-Ledger Special Report
First in a series

Fiscal chaos has ruled the New Jersey Commission for the Blind and Visually Impaired for years.

And despite recent efforts aimed at improving its operation, the commission, a state agency, still suffers from severe financial, organizational and morale problems.

The commission, a division of the state Department of Human Services, was established in 1910 to help ameliorate the conditions of the state's blind residents. Its headquarters are in Newark.

While a variety of problems have plagued the commission for years, some of the difficulties can be traced to the commission's new fiscal management team, which assumed control of the agency's financial affairs in the spring of 1980.

State officials have been aware at least since the mid-1970's that the agency was experiencing difficulties.

Four years ago, for example, financial strains caused the commission to begin

spending almost \$200,000 from a fund it manages for blind vending stand operators without notifying the vendors. The money was contributed by the vendors and meant for them, but was spent for other purposes.

The commission claims the money has been repaid to the vendors' fund. As a result of an audit that disclosed the fund abuse, the state initiated steps to overhaul the commission's operation to prevent similar incidents.

Even so, the commission has yet to straighten out a significant number of its problems to where it is functioning as authorities would like.

Progress, by the commission's own admission, has been slow.

In some instances, the new fiscal managers have hurt their own cause. They have failed to adhere fully to recordkeeping guidelines. In the process of instituting changes, they have alienated some agency workers.

Nonetheless, ranking department and commission officials remain convinced the new fiscal officers will eventually prove successful in their attempt at restoring the agency's financial integrity.

They believe a comprehensive audit of the agency will help by detailing past as well as current problems. The auditors—from Murray Dropkin & Co., a certified public accounting firm the state has hired to review the commission's books for more than \$50,000—will also provide the agency with an outline for avoiding difficulties in the future.

Early signs, however, point to a formidable task facing the new fiscal staff, a job no doubt complicated by holdover problems.

The commission's top business managers—Gilbert L. Dick and Gary Bruschini, handpicked by the department—have so far been unable to resolve some of the agency's

major fiscal and accounting difficulties.

The commission's documented troubles date to 1976. State officials, however, admit they go back further than that.

A comprehensive audit the state Office of Fiscal Affairs (OFA) conducted during a two-year period ending May 31, 1978, unearthed a full measure of bookkeeping problems that were hindering the operation of the commission. It was the last in-depth state examination of commission activities.

The report began by calling attention to the fact that almost a third of the recommendations state auditors had made after their previous analysis of the commission's fiscal operation—from July 1973 to March 1975—had not been implemented.

The 1978 study also found that the commission was not updating its register of New Jersey's legally blind and visually impaired residents, as required by law.

The commission's average annual ratio of document rejection by the state Treasury Department—a rate twice that of the Human Services Department—happened because the agency could not verify the accuracy of the information on its documents, such as vouchers.

Openings of key positions on the commission's accounting staff were not filled.

The study found further that the commission overcharged the federal government more than \$150,000 for services rendered by its staff personnel carrying out federal vocational rehabilitation programs.

Some forms required to be filed with the federal government were not submitted. Recording guidelines were not followed on those that were turned in.

The commission did not close seven inactive federal grant accounts, as required by state accounting procedures.

The commission, the study showed, loaned money from a fund of private donations to the blind it oversees without

proper approval.

One of the unapproved loans—amounting to more than \$25,000—was awarded to the N.J. Blind Men's Association Inc., whose treasurer, George Burck, serves on the commission's board of trustees.

The OFA report also suggested ways of straightening out problems. The commission, however, ignored a number of the recommendations.

* * *

The commission's deficiencies did not end with the manner in which it kept its records or administered its funds. Its planning was also deemed inadequate.

A year ago, the federal government rejected the commission's Cost Allocation Plan, an outline of its spending proposals and reimbursement arrangements, because it was incomplete. The plan had been submitted in December 1980. The agency had hoped it would serve as a program blueprint "in succeeding years," according to the plan's introduction.

A year and a half after the OFA review was released, officials received another signal all was not well with the commission with the completion of an audit on the special fund the agency looks after for the blind vending stand operators in New Jersey.

The audit declared the commission had just about drained the fund of all its money—almost \$200,000, which it applied to other agency programs in violation of federal regulations.

On the basis of the audit, Human Services authorities realized the commission was in need of personnel changes and an all-encompassing analysis that would pinpoint problem areas.

* * *

Anthony P. Sant'Angelo, Department of Human Services comptroller, maintained that he sanctioned an exhaustive audit of

the commission's fiscal affairs when it became clear to him the agency had been operating too long without adequate supervision.

He pointed to the commission's size, its location and the intricacies of its programs as contributing to its troubles.

"For many years, the New Jersey Commission for the Blind and Visually Impaired operated on its own," Sant'Angelo said. "It is located in Newark and not Trenton, where most of the department is centered, and is a relatively small Human Services agency.

"It was the kind of place that kept to itself and operated almost as an independent satellite of state government.

"When the commission was formed, it functioned as a small and relatively simple agency. But as federal funds became available to it, the commission's programs became more complex.

"Frankly," Sant'Angelo conceded, the complexity of the operation moved past the capabilities of the people working at the commission. The staff never really understood how federal money was to be utilized.

"Today, the blind commission is one of the more complex divisions of the department."

Sant'Angelo contended the commission's mishandling of its finances never included "fraud or misappropriation." Asked how he was certain, he replied: "I'm a suspicious guy."

He added the clients the agency serves were never affected by the commission's money woes. Sant'Angelo expressed confidence the agency's new fiscal administrators would be able to iron out problems with assistance of auditor Dropkin's recommendations.

Others doubt the commission can do much to improve its situation.

"The New Jersey Commission for the Blind and Visually Impaired is unresponsive to the state's blind residents because it has unchecked power that has corrupted it," charged Kenneth Jernigan, president of the National Federation of the Blind, an advocate organization with chapters in every state and a national membership exceeding 50,000.

"Its administration is lacking and it is lost in the maze of the Department of Human Services, which doesn't know about blindness."

Jernigan, who ran a state agency for the blind in Iowa for 20 years, maintained that the New Jersey commission would operate more effectively if it was allowed to function as an independent state agency.

Jernigan, who is blind, supported an investigation of the commission's dealings but wondered whether state and federal law enforcement authorities would be interested.

"Polls show the public fears blindness more than anything else except cancer," he said. "Plus, there's a general tendency to think blind persons are taken care of, especially when there are state agencies with the word 'blind' attached to its title."

"But the excesses of state agencies working with the blind are frightening. The system needs badly to be exposed so that the awe individuals working with the blind are accorded is removed."

"Blind people today are treated as other minorities were in 1900."

The New Jersey Commission for the Blind and Visually Impaired offers blind persons program activities in four areas: Eye health, vocational rehabilitation, education and home service.

The commission employs approximately 300 persons and operates on an annual budget of \$10 million. A substantial portion of its funding is supplied through

federal vocational rehabilitation grants.

At the end of 1978, the commission estimated it had an active caseload of 17,660.

TOMORROW:
Funds diverted

Blind Vendors Victimized by Fund Diversions in State Agency

by Guy Sterling

From the *Newark Star Ledger*

August 18, 1981

Star-Ledger Special Report

Second of a series

The financial problems that have plagued the New Jersey Commission for the Blind and Visually Impaired came to a head with the diversion of money from a fund established for blind vending stand operators.

For just about two years prior to October 1979, almost \$200,000 was diverted by the state agency in violation of federal regulations, according to a state audit obtained by The Star-Ledger.

The audit disclosed the money was taken from one of eight "non-state" (or non-budgeted) funds administered by the commission, a Department of Human Services agency with main offices in Newark.

A ranking department official acknowledged the diversion was but one in a series of unauthorized transfers from non-state funds that blind commission administrators have approved over the years.

The official admitted the diversion took place during a period of fiscal chaos within the agency, which is responsible for aiding New Jersey's blind residents.

Non-state funds are revenues not appropriated from tax dollars and not under the

jurisdiction of the state treasurer. Among other items, they can take the form of bequeathments, private endowments, grants and federal money the state oversees.

The blind commission was given custody of the vending stand fund by the federal government under provisions of the Randolph-Sheppard Act.

As stipulated in the act, the blind operators contributed the money as a portion of their incomes derived from vending stand sales on public and some private property throughout the state.

There are about 60 blind vending stand managers in New Jersey, many of whom work in county courthouses and other government buildings. They sell everything from newspapers to hot meals.

According to federal regulations, the contributions can only be used for select purposes: Maintaining and replacing equipment, securing management services, establishing a retirement fund or setting up health and vacation benefits.

Any determination is to be made by the blind vendors. The New Jersey vendors were accumulating their money at the time it was diverted because they were still uncertain on a use for it.

* * *

Before they could decide, however, authorities at the blind commission transferred the contributions—just about all the vending stand money held—to another non-state fund. The money then was applied to support other agency programs.

The diversions took place between December 1977 and October 1979, according to the audit.

Some of the money was used to finance the commission's three sheltered workshops, which will be closing by summer's end.

The blind vendors never were informed of the transactions. The audit was per-

formed when a committee of the vendors sensed inconsistencies in the fund and convinced Norma F. Krajczar, executive director of the commission, to seek a full accounting of the contributions.

Commission officials claim the money has been paid back to the fund. Federal authorities are making certain the restoration includes interest payments covering the time the money was used for unauthorized purposes.

Anthony M. Crea Jr., the agency's chief fiscal administrator at the time of the transactions, has been transferred to another division of Human Services and refuses to discuss the matter.

Federal officials who supervise the vending stand fund throughout the country said such diversions are highly unusual.

But Anthony P. Sant'Angelo, Department of Human Services comptroller, admitted that advances from non-state funds in violation of their spending guidelines was a regular practice of the blind commission.

"The non-state funds were traditionally looked upon by the commission as one large pool that could be drawn upon whenever it was necessary, even though use of the money in each fund was restricted," he said.

"It should not have happened."

Sant'Angelo could not estimate the number of unlawful diversions the commission sanctioned or the amount of money the transfers involved.

He reported, however, that the agency had been improperly using its non-state funds since before he accepted his position as the department's top financial officer six years ago.

Sant'Angelo insisted the practice has stopped. The non-state funds the blind commission watches over exceeds \$1 million.

* * *

In their two-month study, the state auditors uncovered other irregularities in the commission's handling of the vending stand fund. Among them were the following:

- The agency did not keep a complete listing of vending stand locations.
- Blind vendors were advanced more money from the fund than was allowed by commission regulations.
- There existed no procedure to guarantee repayment of fund advances to the vendors.
- The commission purchased equipment and paid for vending stand construction work outside the state appropriation system.
- The agency made no effort to collect allowable reimbursements from the federal government for accounting services required in the preparation of vending stand expenditure reports.

In addition, the examiners declared that part of their inquiry could not be carried out "in accordance with generally accepted auditing standards" because they were unable to obtain certain data from the agency.

On the basis of the review, state auditors recommended procedures to provide adequate internal controls over the commission's non-state funds. A later check by the Human Services Department found that few of the controls had been implemented by the commission.

James Sofka, one of the blind vendors, held Krajczar accountable for the commission's failings, including the fund diversion.

Sofka, who serves as vice-chairman of a committee of the blind vendors, charged that Krajczar was slow in reacting to the commission's problems.

"It was her job to know what was going on in her agency and she didn't until very late," he said. "Even then, she didn't seek help quick enough."

Sofka, president of the New Jersey chapter of the National Federation of the Blind, a group that promotes blind causes, called for Krajczar's resignation and full-scale investigations into the financial dealings of the commission by state and federal law enforcement agencies.

He argued that blind clients have been hurt by the agency's fiscal problems.

"In the past year alone, the commission has shut down its two satellite workshops and three sheltered workshops for blind employees because it claims there's no money," Sofka said. "How can anyone declare that blind New Jersey residents haven't suffered from the commission's state of affairs? It doesn't fit."

Krajczar, a blind woman, accused Crea, the agency's former chief budget officer, of "fiscal irresponsibility" but conceded that ultimately "any accountability rests with me."

A former rehabilitation teacher at the commission, Krajczar said she was not aware the commission was having fiscal troubles until the spring of 1979. She was appointed to her position as the agency's chief executive by former Human Services Commissioner Ann Klein in the fall of 1977, after serving on the commission's board of trustees for five years and on the search committee to find a new agency chief after the previous executive director had died.

Krajczar acknowledged the agency faced critical problems and that some of the difficulties have not been worked out in a time frame she would have preferred.

"Some things have been accomplished all the way, some only half way and some not at all," she said. "We're moving slowly, more slowly than I would like. But I remain convinced that within the next year a new system, whereby we will be operating efficiently and effectively, will be in place."

We now have people who care and who have invested an inordinate amount of time in this effort.

"I couldn't hack this job if I wasn't optimistic. With all the pressure, this is not a happy place to be."

TOMORROW:
Overcoming some problems

**'Revised' Agency for the Blind
Still Faces an Uphill Struggle**

by *Guy Sterling*

From the *Newark Star Ledger*
August 19, 1981
Star-Ledger Special Report
Last of a series

Continuing problems caused state officials to institute a number of changes designed to straighten out the financial affairs of the New Jersey Commission for the Blind and Visually Impaired almost a year and a half ago.

But the changes have not proven completely successful.

In addition, the process of adopting and implementing new policies has created friction among the state agency's directors and workers, which has slowed any progress.

While the state Department of Human Services has been instrumental in bringing about changes inside the agency, the commission still cannot claim it has overcome all of its problems.

Nevertheless, the changes have encouraged commission and department authorities to believe better days lie ahead.

* * *

During the last 18 months, the commission has reorganized its fiscal and management branch.

Its accounting staff has increased in size and, according to state officials, in expertise. Gilbert L. Dick, the agency's new head fiscal administrator, and his assistant, Gary Bruschini, are considered by Anthony P. Sant'Angelo, human services comptroller, to possess "the required experience and academic qualifications" for their posts. He also feels they have shown "demonstrated skills of leadership and organization."

Both men assumed their duties with the commission more than a year ago.

Additionally, the department has hired an outside accounting firm to figure out what went wrong in the past with the agency and to develop new guidelines for the commission in receiving, maintaining and disbursing its funds.

The firm—Murray Dropkin & Co.—has been reviewing commission books since the beginning of the year. The audit is costing the state in excess of \$50,000.

* * *

Signals from the agency since the new fiscal administrators took over, however, point to many of the same kinds of problems that have plagued the commission for years.

- Diversion of non-state funds the commission oversees to purposes for which they were not intended continued for at least six months after Dick and Bruschini were given control of the agency's fiscal operation.

In a confidential memo circulated in December, Norma F. Krajczar, the commission's executive director, noted the transfers and declared: "This 'accommodation' must not continue."

- The new fiscal officers did not file annual financial statements on all non-state funds the commission oversees by last fall's deadline, as required by the state Treasury Department.

At least one report that was filed contained incomplete data.

- Just after Dick assumed his post, commission and department staff members met to discuss the agency's "reorganization and restructuring." The project is still to be completed. Sant'Angelo said he has been waiting for a status report on the plan since October.

- As a result of the delay in the commission's restructuring, the agency has not developed a new Cost Allocation Plan, a blueprint of its overall spending proposals.

- The commission has not filed quarterly and yearly statements with the U.S. Education Department (USDE) detailing how it spent its federal allocations dating back several fiscal years.

Documents from other federal programs the commission participates in have been mailed late. The agency not only failed to submit some reports, it has ignored repeated pleas by federal officials to send them.

* * *

In a February letter, Richard C. Engelhardt, regional commissioner of USDE's rehabilitation services administration, recounted to Krajczar the lengthy effort his office had made in seeking the statements.

He asked the commission to provide him with 12 reports within 30 days. To date, he's received three. Federal officials characterized the agency's submission of federal documents as "very slow." They disclosed that they are "in negotiation" with the commission to secure the remaining statements.

- The commission has been late turning out its own reports, too, including an operational manual establishing employment guidelines at the agency's three sheltered workshops, which was months in development.

In another confidential December memo,

Krajczar, commenting on the manual's "apparent total lack of progress," added: "The reasons for this situation, if they exist, totally escape me at this time."

- Social Security and withholding taxes were not paid on client earnings from the commission's Home Industry Program as late as last fall, according to an internal agency memo. Blind persons are provided with job opportunities out of their homes in the program, which is based in Old Bridge.

- The commission continues to be late paying its bills. It has not settled its debts with the New Jersey Blind Men's Foundation and the New Jersey Foundation for the Blind, private charitable organizations that operated the agency's satellite workshops for blind employees in Denville and Leonardo until they closed last fall.

In a confidential memo disclosing that the commission had not developed "specific plans for addressing our indebtedness" to the groups, Krajczar described paying back the money as "a matter of high priority."

Between the organizations, the commission owes approximately \$100,000, officials reported.

- The commission's fiscal office has hired two clerical employees who were working more hours per week than permitted by the labor agreement under which they were employed. Under a Special Services arrangement, state agencies may hire employees to work on specific projects for limited hours.

Because Human Services has experienced problems with Special Services employees in the past, Dick and Bruschini were advised of Special Services guidelines by memo last November. The two office workers continued with their commission project into this month.

- A Human Services review between

June and September of last year found that the commission was not fully complying with federal regulations in a program assisting visually impaired persons requiring home instruction.

The agency has not implemented all the department's recommendations to eliminate problems and bring the program into complete compliance.

- Relations between the new fiscal officers and commission employees have been strained.

Krajczar noted the problem in a confidential memo this year to the chief of the commission's education division, saying: "For quite understandable reasons, a lack of confidence had developed among most of our field staff in relation to fiscal operations."

Describing the circumstances as "a most unpleasant and unfortunate situation," Krajczar added that "it would appear that some of your staff are creating unnecessary doubts in the minds of clients and vendors, thus aggravating an already difficult situation."

- A preliminary report issued by the Dropkin accounting firm—seven months after the commission's new financial administration had taken power—disclosed the agency continued to experience fiscal problems, even with the introduction of new procedures.

The report maintained the commission's internal controls, portrayed as the "key to the operation of a successful and efficient accounting office," were "still not satisfactory."

It found a lack of resource coordination and confusion among employees, some of whom did not have the proper training for their jobs.

* * *

Analyses of funds available to the commission had not been performed in several

years. Improper filing systems existed. Expenditures on some reports were incorrectly noted.

The auditors concluded: "The commission's problems with its overall financial record keeping is, in our opinion, only a symptom of a larger problem; an overall lack of specific and clear objectives and written management and financial guidelines for commission staff."

Department and commission authorities hold great hopes for the final Dropkin report and its recommendations but believe a complete turnaround is not near.

"It's going to take two years to get the blind commission to the point of operating in the effective way it should," predicted Sant'Angelo. "There will be a series of milestones to achieve and the agency will have to work within the system, but I feel it can be done."

Federal officials, however, believe the commission would benefit if a certified public accountant (CPA) was in charge of the agency's fiscal operations. They conceded, however, the state would be hard-pressed to hire a CPA at Dick's civil service salary, \$30,000 a year. Dick, who earned a bachelor's degree in commerce, is not a CPA.

State Confirms Probe of Agency for the Blind

by Guy Sterling

From the *Newark Star Ledger*
August 30, 1981

The state Attorney General's Office has acknowledged it is reviewing the operations of the New Jersey Commission for the Blind and Visually Impaired, a state agency that has been plagued with financial problems.

The investigation is being handled by the newly established program integrity unit of the Division of Criminal Justice, reported Thomas Cannon, spokesman for Attorney General James R. Zazzali.

The commission, with headquarters in Newark, was the object of a Star-Ledger special report earlier this month.

The articles disclosed that the agency's documented troubles dated back to the mid-1970's and have continued beyond the appointment of a new fiscal management team hired to straighten out the commission's financial affairs a year and a half ago.

Among the disclosures was the fact the commission had diverted almost \$200,000 from a fund it manages for blind vending stand operators in New Jersey in violation of federal regulations.

* * *

The commission has also been lax in submitting a variety of statements on its activities required by the state and federal governments.

Cannon added that the program integrity unit will be looking for not only criminal activity but also bad management.

In announcing formation of the unit in early June, Gov. Brendan Byrne declared that its major responsibility was "to guard against fraud, waste and abuse" in state government.

The unit consists of lawyers and accountants.

It is not expected that the unit's investigation of the blind commission will be completed until next month.

A spokesman for the blind commission said the announcement of the inquiry surprised him but that he believed the examination will turn up no evidence of improper behavior by agency administrators.

"As far as I know, there's nothing to be hidden," said Carl Pirups-Hvarre, deputy executive director of the commission.

"Our books are open."

Pirups-Hvarre is the second highest ranking official in the commission. Executive Director Norma F. Krajczar could not be reached for comment.

Pirups-Hvarre contended that the agency's problems result from a lack of money to finance its programs rather than from a mishandling of its funds.

* * *

There you have the story of the highly touted New Jersey Commission for the Blind and Visually Impaired. Jim Sofka's letter and the four newspaper articles lay it out in detail. Yet, there are still those who say that the National Federation of the Blind is negative and destructive because it refuses to give blanket, unconditional support and endorsement to the agencies as they now function. We have repeatedly said (and New Jersey underscores it once again) that far from helping us, many of the agencies in the field actually do us harm and lessen our chances for full lives. The very existence of such agencies tends to lull the public into feeling that our problems are being taken care of and that nothing more needs to be done. We favor reform and restructuring of the agencies, elimination of the waste and fraud, and adequate funding for needed services.

If the citizens of a country want better roads and they establish an agency and give it money to build roads, they expect that roads will be built. If (after years of heavy appropriations) there are lots of well furnished offices, numerous highly paid staff in the department of roads, voluminous studies—but almost no roads—and if those that do exist are falling to pieces, full of holes, and leading to places that nobody wants to go, it is quite understandable if the public says we are not going to give more money to the present department of

roads: "No, we are not opposed to having good roads. We do not believe that cars should be abolished and all people should have to walk. We are not militant rabble-rousers. We just want the roads we paid for; we want them to be built right; and we want them to go in the direction we want to move."

In fact, it does not take super intelligence or extremely keen perception to

understand why the people might say, in such circumstances, "Yes, we want roads. That is why we intend to cut the appropriation of the road building agencies. This is not a paradox. We may actually get better roads. The money for all of the conferences and the studies and the numerous staff and the high salaries is taken away and what is left is redirected into building roads."

VERLA KIRSCH HELPS BLIND STUDENT ENTER DIESEL MECHANICS COURSE

Verla Kirsch is one of the most active members of our movement. She lives in a rural area of western Iowa, but she has never used the standard excuses that she can't get things done because of sparseness of population or lack of transportation. It will be remembered that she was one of the winners in the Associates contest at this year's convention in Baltimore.

One of her latest efforts involves helping a blind student gain admission to a course in diesel mechanics at Iowa Western Community College. The student is a Nebraskan, and Mike Adams and Dan Hill of the Nebraska Services for the Blind participated in the hearing which was necessitated by the student's initial rejection. The appeal was successful, and the student will be admitted. As will be seen from the following newspaper article, one of the factors helping to bring about the favorable decision was Verla's contact with Iowa legislators and with the Lieutenant Governor of the state:

IWCC-CB Admits Blind Student Through Efforts of Verla Kirsch

From the *Clarinda Herald Journal*
September 3, 1981

In a special hearing Sept. 1 on the IWCC campus in Council Bluffs a blind student, Rickie Ritchie of Omaha, for whom Clarinda Verla Kirsch was testifying, won his discrimination charge and was admitted to the school's diesel mechanics program.

Mrs. Kirsch successfully attended Iowa Western Community College in Clarinda as a blind student and was testifying in Ritchie's behalf about her experience. The school's previous denial of his admittance was reversed when Dr. Looft, who conducted the hearing, instructed the admission committee to admit him.

"I felt he should have the opportunity I did," Mrs. Kirsch says of the experience. The school earlier had expressed the fear that special staff would have to be hired and Mrs. Kirsch told how this had not been

necessary for her, although she was not in a technical field like Ritchie. The students do work in teams of two most of the time and Nebraska Vocational Rehabilitation will see that he gets any special equipment he needs.

Up until he lost his sight two years ago, Ritchie was a truck driver and repaired his own truck engines, Mrs. Kirsch tells. She

had been appointed by the Iowa National Federation of the Blind to assist the 30-year-old Omaha man. Among those who she contacted about his plight were 21 Iowa representatives, 12 senators, the lieutenant governor, State Superintendent Dr. Robert Benton and other officials in the Department of Public Instruction.

FROM THE PRESIDENT'S MAILBASKET: THE NATURE OF DICTATORSHIP

Hartford, Connecticut
August 31, 1981

Dear Dr. Jernigan:

I'd like to share with you a telephone conversation I had two weeks ago with another blind person who, at this time, and for numerous reasons, is not a member of the Federation. The conversation was about the Federation and You. I feel rather proud of the way I handled her remarks, but I shall let you be the judge of that.

She had called me, first off, on another matter, but then I mentioned to her something I am doing, a sort of project, if you will, with another Federationist in the Hartford Chapter. She launched her abusive missile at you, accusing you of being a "dictator," someone who had been in the Presidency "too long." I reminded her that she wasn't a member to begin with. I went on to state that there were very few people who would be as willing to stick their necks out the way you have done in the past in defense of all the blind. A weak-kneed individual would have folded long long ago. I then said something else—nobody on this

earth is perfect. If you really are convinced heart and soul that Dr. Jernigan et al. in the Federation are dictators and the like, then you are invited to join, write letters to "The Monitor," and drum up support for someone else who you think might do a better job as President. I then used a four-letter-word——W.O.R.K.

My friend then continued blaming members of the Federation for "harassing" her, because she would not join. I informed her that quite frankly, she didn't know what harassment was—for example, I mentioned to the young lady I knew of someone back in Massachusetts who joined ACB and after a few years became disenchanted with the group and tried to withdraw membership. There was a period of time when he got calls, night and day, from persons in that organization. I know for a fact of others who have dropped out of the Federation and they were never harassed by anyone.

She went on to ask, "What has the Federation done for you with all the hours of publicity you have put in in Boston?" Though it is rude to answer a question with a question, I asked her, "What has anyone else done? Just because the Federation

doesn't hand-deliver a million bucks or a job, is that any reason to drop out?" I mentioned how a lot more could be accomplished for me, for herself, and for all the blind for that matter if more people banded together and worked for the common good. As Dr. Newel Perry once said, "We are our brother's keeper, . . ." My friend wasn't quite finished—not quite yet.

She went on to say that an acquaintance of hers had brought up some sort of idea to top officials in the Federation and was totally ignored, simply because the idea was not in line with what they thought. I do not know at this time who the person was, what the idea was, and with whom in the organization she communicated, (or he communicated). Again I went back to the only obvious answer, the only logical thing that a person could do to remedy the situation. If that person was so incensed, she or he could stay in the Federation, run for office, or work to get someone else in who they think might do a better job. But, as we know sometimes, W.O.R.K. can be an ugly four-letter word. When I kept harping on the theme of being a responsible member, I then noticed how quickly she tried to change the subject.

In conclusion let me state a few things. I am ashamed to say that I have not been able to go full speed 24 hours a day for the Federation, but I'll say one thing: Ever since I joined in Boston back in 1974, Al Evans—and others in Massachusetts—gave me responsibilities right off the bat. Also, I've done a couple of things in Hartford, including a certain project which you may know about a few months from now. The very fact that I have been considered a responsible person is important. In other words the Federation has accorded me more dignity and better treatment than I have received from most others, sighted or blind. As a teacher in Milton, Massachu-

setts, a lot of things I may have done or said were not taken seriously by some students or some of their parents and by other teachers, just because I'm blind. (In all fairness, though, I was a good teacher, and there were many of my students who considered me as such.) I could never, even in my brief tenure in that town's school, take on any really responsible committee post. After all, who'd take a blind person seriously? (Then some people ask, "Why the NFB?") At least in the NFB the potential is there for me, as well as for every other person to be a responsible member and contribute something when called upon to do so.

At the risk of making this conclusion too lengthy, let me mention one other thing that I should have told you earlier. I appreciate how you personally came to bat for me and three others last May when four of us were rudely manhandled by Social Security. Your getting on the phone and getting us that second interview the next day was something. Granted, my friend would say, "the Federation didn't get you a job," yet, on the other side of the coin, what agency person and what other worker with the blind would have come to bat for us in that respect. Dr. Jernigan, you are not a dictator. If many of those who criticize you and attack the Federation would work as hard to try to help make life better for the blind, many of our problems would be solved.

Sincerely,
Richard Chapman, Jr.

Baltimore, Maryland
September 11, 1981

Dear Dick:

I very much appreciate your recent letter, and I also appreciate the way you

handled the telephone call concerning the Federation. The term "dictator" is thrown around loosely by far too many people. A "dictator" cannot exist unless he has some means of enforcing his will—a police force with guns, an army, or the like. To some extent one can be a "dictator" if he controls other people's jobs and if they have very little possibility of finding any other employment.

In the Federation I have no police force and no army. Our voting is done by roll call, and there is very little possibility that I can cheat in counting the votes. I have no means of damaging the employment opportunities of any of the delegates.

Whether I am a good president or a bad one (and even though our opponents don't like to admit the fact or recognize its implications), I am the leader of the Federation because the overwhelming majority of the organized blind of the nation want me to be the leader. Anybody who comes to one of our conventions and is at all perceptive will recognize this immediately. This or that individual may believe that the members are mistaken in trusting me or that I am a bad president or have been president too long, but that has nothing to do with whether we operate in a democratic fashion. It only has to do with whether you believe people have enough sense to make their own decisions and know what persons they want to pick to be their leaders. In other words, as the term "dictator" is used in present day American parlance, it usually means somebody you don't like who got elected by a large majority.

Of course, the Federation is as good or as bad, as productive or as unproductive, as we the members make it. It is the blind speaking for themselves. If our membership is intelligent and active, the Federation will reflect our collective wisdom. If we are lazy and indifferent, it will reflect our

collective apathy and foolishness.

In my opinion, the Federation is stronger and in better health today than it has ever been. We are not overly concerned about what our opponents think we ought to do and how we ought to conduct our business. They are not interested in our well being in the first place. If they had their way about it, we would fold up and die—fade away completely, cease to exist as an organization, or (at the very least) cease doing what we are now doing and become a carbon copy of their notions and ideas.

Well, we have our own notions and ideas, and we intend to work to carry them out. The best testimonial to our effectiveness is the bitterness with which some of our opposition views us. They don't understand us at all, and they probably couldn't if they tried.

Our real strength (our secret weapon, so to speak) is our love and care for each other. Many of our detractors wouldn't recognize love if they met it in the middle of the street. They judge us by themselves—a dangerous habit.

We will keep working together; we will continue caring for each other; and we will prevail. No, we are not perfect, but we are doing better than most other groups in this field that I know about. We treat each other like brothers and sisters; we share what we have with each other; and we continue to grow in strength, numbers, and understanding.

Again, I thank you for sharing with me your letter, and I honor you for your steadfastness in the Federation—for standing up for what you believe, for refusing to side step the issues, for declining to take the easy road of the cop out.

Cordially,
Kenneth Jernigan, President
National Federation of the Blind

A LETTER TO "GOOD MORNING AMERICA"

Chicago, Illinois
August 25, 1981

Executive Producer
GOOD MORNING AMERICA

Dear Sir:

On July 8, 1981, I was a part of a peaceful march and rally in Washington, D.C. It was a rally conceived, organized and directed by blind people. Well over a thousand people participated in that rally. We were (and are) members of the National Federation of the Blind, the largest and oldest organization of the blind in the United States.

Why the rally and march? It was a matter of participatory democracy; we came to meet with the United States Congress and the Vice-President of the United States; not to beg, not to ask for a free lunch, but to discuss legitimate issues impacting on the lives of a half million blind Americans. It was one of the largest gatherings of blind people in the world; and yet GOOD MORNING AMERICA chose to ignore what took place on the steps of our nation's capitol and instead featured a "news item" dealing with aids to the blind, including a talking scale. How pitiful.

I don't have a talking scale; I don't know any blind people who do. On a list of priorities, that kind of gadgetry would be so far down the list, for the overwhelming majority of blind people, that it wouldn't even be worth mentioning, except in passing. What is important in the lives of blind people are the issues we journeyed to Washington to discuss; collective bargaining rights for blind sheltered shop workers and,

along with that, statutory guarantees for the federal minimum wage for people who receive as little as eighty-five cents per hour for their labor; adjustments in Social Security laws which would remove disincentives to work; and, extended coverage of the 1964 Civil Rights Act to include disabled people. With all of this, clearly, goes responsibility for our own lives, for paying taxes and for participating in the democratic process.

We are very serious about all of this. We believe that what we did on July 8, 1981, is legitimate, hard news, and should have been covered as other hard news is covered. We believe that what we did is an example of what blind people can and do do every day. Apparently, you and your decision makers didn't believe it. There were plenty of reporters around that day; I know, I talked with at least four, and I was among the ranks of our assembly.

I have two suggestions: (1) that in the future, you give more positive consideration to the kind of exercise in democracy we conducted, before you feature gadgets most blind people can't afford; and (2) that you give us an opportunity to be heard on some future program. I suggest that you contact our national President, Kenneth Jernigan, 1800 Johnson Street, Baltimore, Maryland 21230; (301) 659-9314.

I look forward to hearing from you in the near future.

Sincerely,
Stephen Benson, President
National Federation of the
Blind of Illinois

ARKANSAS LIGHTHOUSE FOR THE BLIND ANOTHER WORKSHOP—ANOTHER CASE OF EXPLOITATION

by *Jim Hudson*

The Arkansas Lighthouse for the Blind is a nonprofit organization that has been present in Arkansas since the 1930's. For the past three years the National Federation of the Blind of Arkansas has been getting calls from employees at the Lighthouse concerning their treatment by the Executive Director, Billy Day. Some of the employees's concerns are as follows:

1. Low Wages
2. No sick leave
3. No grievance procedures
4. General mistreatment by the director—and the list goes on.

Because of these concerns the National Federation of the Blind has on more than one occasion invited Mr. Billy Day to participate as a part of our state convention program. Mr. Day has always declined these invitations. Since he saw fit not to communicate with the National Federation of the Blind of Arkansas during our last state convention in November, 1980, we sent Mr. Day and the members of the Lighthouse board the following resolution:

RESOLUTION 80-4

ARKANSAS LIGHTHOUSE FOR THE BLIND

WHEREAS, the policies and activities of the Arkansas Lighthouse for the Blind are not generally known by blind consumers; and

WHEREAS, repeated attempts have been made by the National Federation of the Blind of Arkansas to promote cooperation between its members and the Lighthouse for the Blind; and

WHEREAS, the Arkansas Lighthouse for the Blind currently has no blind consumers on its Board of Directors;

NOW, THEREFORE, BE IT RESOLVED by the National Federation of the Blind of Arkansas on this 15th day of November, 1980, that we call upon the Arkansas Lighthouse for the Blind to meet with responsible leaders of the National Federation of the Blind of Arkansas to discuss the Lighthouse's policies and activities in order that blind consumers be better informed.

BE IT FURTHER RESOLVED that blind consumers be represented on the Board of Directors of the Arkansas Lighthouse for the Blind in order to insure consumer input concerning policies and practices of the Lighthouse.

Our resolution was totally ignored. On April 17th, 1981, the NFBA contacted Mr. Alfred Pickering, President of Teamsters Local Number 878.

The following is a chronological list of events that have taken place since our contact with Mr. Pickering:

April 20, 1981: The President and Vice President of the NFBA met with Mr. Pickering; Ron Heath, business agent; and five workers from the Lighthouse for the Blind.

April 21, 1981: Billy Day received a telegram from Local 878 informing him that five of

his workshop employees would be actively involved in organizing support for an election. In the telegram the five employees put their jobs on the line and said in part:

"Mr. Day, we want you to know that we volunteered to have our names used and to serve as the committee. We believe in what we are doing and want our names used in support of our cause. All other cards and signatures will be kept strictly confidential." The telegram continued: "Teamsters Local 878 will continue to advise the above named employees of their legal rights and obligations in this matter and will be assisting legal and otherwise.

Ron Heath
Assistant Business Agent
Teamsters Local 878
Little Rock."

April 28, 1981: Forty of forty-eight Lighthouse employees met with business agent Ron Heath and members of the NFBA at the Teamsters Union Hall. At this meeting Mr. Heath read a letter written to Local 878 by Mr. Day as follows:

Dear Mr. Heath:

I received your telegram on April 21, 1981, relating to certain of our employees who have volunteered to support your Union. We recognize rights of our employees and have made every effort to treat them fairly. We will continue to do so in the future.

I would like to point out to you that

because of the nature of our organization and activities, we are not covered by the National Labor Relations Act.

Very truly yours,
Billy M. Day
Executive Vice President

After this meeting forty-six of forty-eight employees signed cards stating their intent to have an election.

May 1, 1981: Mr. Day received his second telegram concerning union organizing activities. The organizing committee had now grown from five to thirty-seven employees. The telegram reiterated the determination of the employees to exercise their right to organize and join the Teamsters.

May 1, 1981: Ron Heath responded to Billy Day's April 22nd letter:

Dear Mr. Day:

We are in receipt of your letter dated April 22, 1981.

First, this is to officially advise you that this Local Union will continue to help support your employees in the organization of your company.

Second, for your information, your company *is* covered by the National Labor Relations Act. I would like to cite to you two very similar NLRB cases:

Lighthouse for the Blind of Houston
244-NLRB #155

Cincinnati Association for the Blind
235-NLRB #198

To put it plainly, this Local Union is assisting, and will continue to assist and support your employees in their cause.

Very truly yours,
Ron Heath
Assistant Business Agent

(Sent by Certified Mail)

May 21, 1981: An eleven hour hearing was conducted by an Administrative Law Judge, appointed by the National Labor Relations Board, concerning the Lighthouse employees' right to organize. The Lighthouse attorneys argued that the Lighthouse was a sheltered workshop and that the employees were considered clients and for the most part were multi-handicapped. Mr. Day and his attorneys called "as expert witnesses" to testify against the Lighthouse employees: Mr. J. M. Wooly, Superintendent of the Arkansas School for the Blind; Mr. Roy Kumpe, retired Executive Director of the Arkansas Enterprises for the Blind; and Mr. Louis Rives, who now resides in Arizona and was previously the Director of the Office for the Blind and Visually Impaired of Arkansas. Of course, Mr.

Rives is more widely known as the immediate past president of the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC). All of these witnesses testified that the Lighthouse workers were clients instead of employees. They also provided testimony that there was just one big family of services to the blind in Arkansas of which the Lighthouse was an integral part. During this hearing the conduct of Mr. Kumpe was so overbearing and objectionable that the Administrative Law Judge finally ordered him to refrain from further comment. Dick Edlund, Treasurer of the National Federation of the Blind, was present before and during the hearing to give support and assistance to the workers.

June 5, 1981: The NLRB Decision was that the Arkansas Lighthouse for the Blind is covered under the National Labor Relations Act as an employer and that the workers have the right to organize and have an election.

June 26, 1981: An informational picket supporting the workers at

the Lighthouse took place. Members of the National Federation of the Blind of Arkansas, Dick Edlund, Teamsters Local 878, and employees at the Lighthouse participated in this picket. The event was reported in the June 27, 1981, *Arkansas Democrat* as follows:

Blind Workers Picket Lighthouse for Union

by Christopher Jones
Democrat Staff Writer

Workers from the Lighthouse for the Blind joined representatives from a Teamsters' local and an activist blind consumers' group Friday to picket outside the Lighthouse sheltered workshop at 69th and Murray streets.

At issue is a July 10 election—mandated by the National Labor Relations Board—in which the 46 workers at the shop will decide whether to join Teamsters Local 878.

The administration of the independent, non-profit Lighthouse has fought the election, and will dispute its outcome if the workers decide to join the union, the Lighthouse attorney, Phillip Lyons, said Friday.

If the workers vote to join the union—and the administration believes they don't have enough votes to do so—they will apparently try to remedy by collective bargaining a list of grievances including lack of seniority, a graduated pay scale and no blind people on the administration.

The workers favoring the union are being led by the National Federation of the Blind, a blind consumer group which stresses the "of" in the title to emphasize that it is a "grass roots" effort, according to its treasurer, R. J. Edlund, who traveled from Kansas City for the confrontation on

Friday.

The National Federation of the Blind contests the concept of the sheltered workshop, contending that people who work there are production workers like everyone else, and not "clients" as the administrators argue.

Lighthouse administrators say that workers are employed primarily for rehabilitation by the Lighthouse and should not come under NLRB standards as they are applied to industry at large.

Lyons said that the productivity of the individual workers varies anywhere from 25 to 110 percent, that they are never discharged for failure to achieve production levels and, therefore, they can't be dealt with under labor and union rules.

Lyons cited several possible dangers for the workers if union collective bargaining principles were put into effect at the Lighthouse.

"For example, we presently give preference in hiring to blind workers, but in the typical union, seniority would determine such things," Lyons said.

"Also, the rehabilitation process is a one-on-one thing, but collective bargaining isn't."

Edlund argued that the Lighthouse—and the overall structure of government and private groups of which it is a part—operates like an industry, primarily for a profit.

"The trainees earn \$1.75 an hour. This is not a lighthouse, not a protected environment, it's a blind factory," he said.

Edlund said the Lighthouse workers produce notepads, helmet liners, gun belts and mattress covers for an organization called National Industries for the Blind.

He said the group contracts with the federal government, makes 4 to 10 percent on its contracts and grossed \$141 million last year.

"Sixty-one people work for them and

none of them (National Industries for the Blind) are blind. Most earn around \$50,000 per year and are retired military personnel who are double dipping," Edlund said.

Edlund said the federal Wagner-O'Day act allows these shops to pay as little as 25 percent of the going minimum wage. He cited Department of Labor statistics reporting that 50 percent of such shops were in violation of its rules.

Lyons replied that the Lighthouse was not in violation and paid its full-time workers the Department of Labor's certified amount of \$3.10 per hour.

Lyons said the Lighthouse had nothing to do with National Industries for the Blind, other than to pay them their 4 percent to cover the set-aside work contracted to them by the federal government. He said Lighthouse records for the fiscal year ending July 31, 1980, showed them losing \$299,000.

He said industry practices of paying a base amount and then a percentage for piece-work, or incentive production, is not suitable for the Lighthouse since many workers aren't able to work up to 100 percent.

"We encourage workers who can do 100 percent to leave and go into industry. If they say they can do it, they should do it," Lyons said.

Jean Miller, employed at the Lighthouse for 3½ years, hems pillowcases on a regular sewing machine and describes her work as "skilled labor."

"Everywhere else, if you make the production level you go into a percentage," she said.

Asked if she could make it somewhere else, she replied, "I don't know."

June 29, 1981: Billy Day met with employees to discourage

them from voting for a union shop—a highly suspect practice under the provisions of the National Labor Relations Act.

July 1, 1981: Ron Heath sent a letter to all Lighthouse employees:

Dear Future Teamster:

On Monday, June 29, Billy Day and his hot shot attorney made some soap box speeches to you. First, let me say this will not be the last one, you will be forced to sit in on by Billy Day. This is what we call a captive audience, that means he forces you to listen to him on the company time to hear him blow. Have you asked yourself who is paying for this hot shot attorney? This has been and will be a very expensive thing for the Lighthouse to fight you in your attempt to organize. Billy Day is taking your money that you have made for the Lighthouse and giving it away to these hot shot attorneys. I think Mr. Day should tell you how much of your wages he is giving away.

Second, let's look where you have come from. As I told you in our first meeting, Billy Day would do everything in his power to keep you from organizing and that he would stoop low to many things and would try many gimmicks. Let's don't forget that Billy Day is responsible for the low wages, no pension, no sick leave, and the list goes on and on. I suppose the biggest thing he has taken away is your *pride*, and now Billy Day is acting like he's concerned for you and your welfare, THAT'S HOG-WASH! He could care less about you or anyone else. All he's concerned about is what it's going to cost Billy Day. Remember he says he's fighting the Union, that's a

lie! He's fighting you, it's you that he's using, not this Union. It's you that has been mistreated, not this Union. It's you who is not getting your share of the profits, not this Union. It's you who has been threatened with your job, not this Union. Don't let Billy Day fool you for one minute. He just can't stand the idea that he will have to bargain with a group and not a one on one basis any longer.

Stand up for your rights and *vote yes on July 10th*, and show Billy Day that you mean business!

REMEMBER, BLIND PEOPLE HAVE RIGHTS TOO!

Sincerely yours,
Ron Heath,
Assistant Business Agent
Teamsters Local 878

July 6, 1981: During the week of July 6th, Lighthouse workers were discouraged from voting for Teamster representation.

July 10, 1981: An election was conducted and the results were: 24 workers for union representation and 28 against union representation.

July 13, 1981: The Lighthouse production workers were given a 65¢ per hour wage increase.

July 17, 1981: A complaint to the NLRB was filed listing 11 objections which could have influenced the election results:

PETITIONER'S OBJECTIONS TO CONDUCT AFFECTING THE RESULTS OF THE ELECTION

Pursuant to Section 102.69(a) of the Board's Rules and Regulations, Series 8, as amended, Chauffeurs, Teamsters and Helpers Local Union No. 878 affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, hereinafter called petitioner, hereby files its objections to conduct affecting the results of the election conducted on July 10, 1981 and in support thereof states:

1. Commencing on or about May 1, 1981 and continuing to date, the employer by its officers, agents, supervisors, and attorney and/or employees expressly and by implications promised the eligible bargaining unit employees wage increases and/or changes in benefits and/or improved and changed working conditions on their voting against the petitioner which so polluted the election atmosphere surrounding the July 10, 1981 election that the bargaining unit employees could not have exercised a free and untrampled choice in violation of the laboratory conditions which must accompany an election conducted by the National Labor Relations Board.

2. Commencing on or about July 13, 1981 and continuing to date, the employer by its officers, agents, supervisors and/or employees did in fact increase wages from \$3.35 to \$4.00 per hour, changed the pay period from every two weeks to every week and promised the employees changes in other employee benefits and/or working conditions once the period for filing objections to the July 10, 1981 election had run.

3. The employer through its officers, agents, supervisors, employees, third parties and/or attorney intimidated employees through one on one meetings with employ-

ees and through verbal intimidation of single and/or small groups of employees which presented a fear factor so that the employees were not able to make a free and untrammelled decision when they cast their ballots.

4. Beginning on May 1, 1981 and continuing to date, the employer by its officers, agents, supervisors and/or employees interrogated individual eligible bargaining unit employees and/or groups of eligible bargaining unit employees about whether they had signed union cards, about voting against petitioner, about their voting preference, and/or for whom they voted in the election of July 10, 1981 which tactics were so unfair as to pollute the election atmosphere that the bargaining unit employees could not have exercised a free and untrammelled choice in violation of the laboratory conditions which must accompany an election conducted by the National Labor Relations Board.

5. Commencing on or about May 1, 1981 and continuing to date, the employer by its officers, agents, supervisors, employees and/or attorney by statements and/or other communicative devices implanted into the minds of the bargaining unit employees the futility of selecting the petitioner as their collective bargaining representative such as, for example only, by telling the bargaining unit employees that it would refuse to bargain with petitioner, would take its case all the way through the United States Supreme Court, a process which could take ten years and that the employees would never get a contract which tactic misrepresented the facts and was so unfair as to pollute the election atmosphere that the bargaining unit employees could not have exercised a free and untrammelled choice in violation of the laboratory conditions which must accompany an election conducted by the National Labor

Relations Board.

6. Commencing on or about May 1, 1981 and continuing to date, the employer by its officers, agents, supervisors, employees and/or attorney illegally solicited eligible bargaining unit employees to withdraw their union authorization cards based on, as an example only, the misrepresentation of the consequences of signing those union authorization cards which tactic was so unfair as to pollute the election atmosphere that the bargaining unit employees could not have exercised a free and untrammelled choice in violation of the laboratory conditions which must accompany an election conducted by the National Labor Relations Board.

7. Commencing on or about May 1, 1981 and continuing to date, the employer by its officers, agents, supervisors, employees threatened economic reprisal if they did not remain at and/or participate in employer sponsored captive audience speeches which tactic was so unfair as to pollute the election atmosphere that the bargaining unit employees could not have exercised a free and untrammelled choice in violation of the laboratory conditions which must accompany an election conducted by the National Labor Relations Board.

8. Commencing on or about May 1, 1981 and continuing to date, the employer by its officers, agents, supervisors, employees and/or third parties misrepresented petitioner's performance regarding the processing of grievances at Coca-Cola Bottling Company of Arkansas, located in Little Rock, Arkansas, which tactic is so unfair as to pollute the election atmosphere that the bargaining unit employees could not have exercised a free and untrammelled choice in violation of the laboratory conditions which must accompany an election conducted by the National Labor Relations Board.

9. Commencing on or about May 1, 1981, and continuing to date, the employer by its officers, agents, supervisors and/or employees threatened the close of the Arkansas Lighthouse for the Blind and/or other economic repercussions if petitioner was selected as the collective bargaining representative of its employees which tactic was so unfair as to pollute the election atmosphere that the bargaining unit employees could not have exercised a free and untrammelled choice in violation of the laboratory conditions which must accompany an election conducted by the National Labor Relations Board.

10. In the circumstances of this election, the overall campaign tactics of the employer by its officers, agents, supervisors, employees, third parties and/or attorney were so fundamentally unfair that it polluted the election atmosphere that the bargaining unit employees could not have exercised a free and untrammelled choice in violation of the laboratory conditions which must accompany an election conducted by the National Labor Relations Board.

11. By the above acts and conduct, and by other illegal and unfair acts and conduct, the employer by its officers, agents, supervisors and/or employees by illegal and unfair statements, recordings, memoranda and/or other communicative devices have so polluted the election atmosphere surrounding the July 10, 1981 election that the bargaining unit employees could not have exercised a free and untrammelled choice in violation of the laboratory conditions which must accompany an election conducted by the National Labor Relations Board.

Respectfully submitted,
Melva Harmon
Law Offices of

John T. Lavey
P. O. Box 2657
Little Rock, AR 72203

Attorney for Petitioner

July 20, 1981: Philip K. Lyon, attorney for the Lighthouse, wrote a letter to Ron Heath, business agent of Local 878 asking for dismissal of two objections filed by the Teamsters on July 17th:

Dear Ron:

On July 17, 1981 your attorney filed objections to the election of July 10, 1981 where the workers for Arkansas Lighthouse for the Blind rejected representation by your Union. Two of your objections involved a raise granted July 13 and a change from bi-weekly to weekly paychecks. Based on these objections, we assume that you object to the workers being given a raise and that you object to their being paid on a weekly basis.

If you do not object to the raise and weekly pay periods, then we ask that you withdraw objections 1 and 2. We would request that your answer be in writing and if we do not hear from you within five (5) days of the date of this letter, we will assume that you do object to the raise and weekly paychecks.

Very truly yours,
Philip K. Lyon

July 22, 1981: Melva Harmon, attorney for the Teamsters, wrote a response to Mr. Lyon's letter stating why the two objections would not be withdrawn:

Dear Mr. Lyon:

I am writing as attorney for Teamsters Local 878.

I wish to confirm receipt of a copy of your letter to Ron Heath dated July 20, 1981.

Because Mr. Heath is out of town on other business and may not return to work in Little Rock before your arbitrary 5-day deadline, I am going to answer your letter to Ron.

Teamsters Local 878 does object to the illegal and coercive wage increase and changed payday, because this unfair and illegal tactic violated the National Labor Relations Board's election rules and is also an unfair labor practice. In addition to the objections filed, Teamsters Local 878 is going to file an unfair labor practice charge with the National Labor Relations Board alleging, among other unfair labor practices, that your client violated the national labor laws when it illegally and coercively placed into effect a wage increase and changed employee payday. Candidly, I know the reason your client did this was because it felt that Teamsters Local 878 had the election won and it was going to do anything it could to win the election. Therefore, your client engaged in illegal and coercive conduct to illegally snatch this election away from the employees and Teamsters Local 878.

Although Teamsters Local 878 does object to the illegal conduct engaged in by your client and is going to file an unfair labor practice charge in addition to the objections it has already filed, as a remedy Teamsters Local 878 is not going to ask the National Labor Relations Board to take away the illegal wage increase your client gave to the employees, and it is also not going to ask the National Labor Relations Board to change the employees' payday to

a bi-weekly pay check. But, among other remedies it will seek, Teamsters Local 878 is going to request the NLRB to make your client post notices to inform all of the employees of the illegal conduct your client engaged in because this will insure that all of the employees will know about your client's illegal and coercive conduct.

In summary, Teamsters Local 878 is not going to withdraw objections 1 and 2, and it is going to file an unfair labor practice charge against your client. Teamsters Local 878 is not going to ask the NLRB to change the employees' payday back to the way it was, because if the election was conducted fairly with Teamsters Local 878 obviously winning it, Teamsters Local 878 would have bargained such a change in collective bargaining negotiations which would have taken place. Finally, although your client illegally granted wage increases to its employees, Teamsters Local 878, as a remedy, is not going to ask the NLRB to take away those wage increases, because they were needed by the employees. Before your client granted the employees the illegal wage increase, it was paying them slave wages.

Thank you for your consideration.

Very truly yours,
Melva Harmon

August 10, 1981: The Teamsters objections to the July 10th election were formulated into Unfair Labor Practice Charges against the Lighthouse for the Blind. These Charges called on the National Labor Relation's Board to order that a bargaining unit be instated. Subsequently, to support

these Unfair Labor Practice Charges the NLRB has been given affidavits by Lighthouse employees.

The Teamsters Local 878 has been very sensitive and supportive to the employees at the Lighthouse. Surely, when the dust clears, the Teamsters, the National Federation of the Blind of Arkansas, and the employees at the Lighthouse will realize a victory and Billy Day will have no choice but to communicate and bargain with the employees through Local 878.

The road from inferiority and second-class citizenship to equal status in society has been long and painful for the blind. It stretches back to a time before the dawn of recorded history, and it stretches forward beyond the horizons of the foreseeable future. But the blind are moving. Step by painful step we are making progress—and the name of our movement, the focus of our hopes and dreams is the National Federation of the Blind.

Those who doubt the magnitude of the battles we still have to fight, should consider the case of the Lighthouse for the Blind of Houston, Texas. The Houston case started in 1978 when the shopworkers at the Houston Lighthouse chose (with strong help from the Federation) to be represented by the Teamsters. The election in favor of unionizing was overwhelming; however, the Lighthouse (following what has now become a familiar pattern) refused to bargain. This was done in direct violation of an order from the National Labor Relations Board.

In April of 1980 the NLRB took the Houston Lighthouse to court, asking the Fifth Federal Circuit Court of Appeals to order the Lighthouse to bargain. The Federation submitted a brief and made an

appearance. On August 10 the Court announced its decision. It declined to enforce the NLRB's order. This is the first adverse decision we have had from a federal court in our fight to improve the condition of sheltered shop employees.

It is damaging, but it is only a temporary setback. The NLRB is still fighting on our side. The Houston case may be taken to the Supreme Court by the NLRB, or the NLRB may ask the Fifth Circuit to reconsider its decision. Also, the Cincinnati Lighthouse case is still pending and (at the time of the writing of this article) has not been decided. Since Cincinnati is in a different circuit, a favorable decision in that case would balance out the loss in the Houston case and would almost certainly trigger a Supreme Court appeal.

Meanwhile the American Council of the Blind continues to support the managers of the workshops and to fight against improved conditions for the workers. Durward McDaniel and Grant Mack, the new ACB President, publicly support the Utah agency in its efforts to put the shop workers down; the entire NAC establishment fights against minimum wages; and National Industries for the Blind uses money rung from the toil of the workers to hire expensive lawyers to try to keep the blind from organizing and engaging in collective bargaining. Moreover, Billy Day and his supporters in Little Rock will doubtless draw comfort from the Houston case and try to use it as a weapon against the employees at the Arkansas Lighthouse.

But temporary setbacks do not discourage the Federation, and a single skirmish has little to do with the outcome of a total war. The orders of the NLRB are still in force throughout most of the country, and we are more determined and more experienced than we have ever been. Yes, the road ahead will be long and difficult, but

the outcome is certain. We will not quit, and we will not fail. The stakes are too high to permit it. Whatever the costs, we will pay them. Whatever the sacrifices, we will make them. We have learned to re-

spect ourselves and to care for each other. We have learned to walk alone in dignity and self-sufficiency, but we have also learned to march together in unity and love.

PROFILE PAULINE GOMEZ

The following article is reprinted from the September, 1981, issue of *Qué Pasa*, the newsletter of the National Federation of the Blind of New Mexico. Pauline Gomez has greater influence in New Mexico and, particularly, in Santa Fe than her modesty would permit her to tell you. It is not just among the blind that she is widely known and respected.

Through her kindergarten, Los Niños, have passed the children of the leaders of the Santa Fe community. As the years have gone by, those children in their turn have become the powerful and the respected. Whether in government, private industry or social activities, the graduates of Los Niños are now in top positions in the Santa Fe area. Pauline has made a great contribution to the people of New Mexico. She has also made a great contribution to the betterment of the lives of all of us who are blind throughout the nation. The *Braille Monitor* joins *Qué Pasa* in saluting Pauline Gomez. Here is the article from *Qué Pasa*:

Pauline Gomez was born and raised in the Santa Fe area. She attended school from kindergarten through 12th grade at the New Mexico School for the Visually Handicapped where she earned her high school diploma in 1940. After graduating from high school Pauline enrolled at the University of New Mexico. Her goal was to

become a teacher of children in a residential school for the blind. When Pauline was growing up the only employed blind people she really knew were her teachers. Having a natural talent and interest in teaching, Pauline naturally assumed that she should work in a residential school setting. Pauline did her student teaching at the New Mexico School for the Visually Handicapped. She then received a scholarship to do a year's work as a teacher intern at the Perkins School for the Blind. In 1945, after completing her teacher training and armed with a college diploma, Pauline returned to New Mexico and sought employment with NMSVH. When it became clear that Pauline's employment prospects were not very promising, she began investigating the possibility of opening a private kindergarten. In 1946, Los Niños kindergarten opened for business in Santa Fe.

In the mid 1950's Pauline became aware of a growing young organization called the National Federation of the Blind. In 1956, when the New Mexico Federation of the Blind (now known as the National Federation of the Blind of New Mexico), was formed, Pauline was among its charter members. Pauline quickly became active in promoting the goals of security, equality, and opportunity. She was acutely aware that if blind people were to become fully

participating members of society they would need to learn a wide variety of adaptive skills. Through the efforts of the blind of California an orientation center for the blind had recently been created. In 1959 Pauline went to Oakland to participate in the orientation center program. After completing her training, Pauline said, "After all the Federation has done for me there is no way I could ever let it down." Pauline quickly put these words into action. In 1960 she became state president of the New Mexico affiliate. She served five consecutive terms and was dedicated to spreading the Federation message. During Pauline's presidency, she established the first local chapters in New Mexico and began

holding monthly meetings.

In 1971, Pauline again answered the need for strong leadership in New Mexico. She served as president from 1971 to 1972 as a dynamic and forceful leader.

In addition to running her own school, now in its 36th year, Pauline has been active in many community service organizations. She is presently first vice president of the National Federation of the Blind of New Mexico and represents a powerful guiding force uncompromising in her commitment to Federation philosophy. We are all very proud of Pauline and her accomplishments, and feel honored to call her a fellow Federationist and friend.

A FUNDRAISING IDEA FROM SCOTT LEWIS

As Federationists know, Scott Lewis was elected President of the National Federation of the Blind of Washington when it was reorganized in 1979. He continued in that position until May of this year. He then moved to Alaska and worked there during the summer. He is now in law school in Illinois.

Recently Scott sent a letter to the National Office detailing an interesting fundraising idea. He used it with success in both Washington and Alaska, and it might be of interest to other state and local affiliates throughout the country. Here is Scott's letter:

August 7, 1981

Dear Dr. Jernigan:

I am enclosing a copy of an advertisement and some forms I have developed that affiliates across the country may find use-

ful. The material is tied to fundraising through acquisition of real property donations.

I ran this ad in Seattle and acquired a boat (cabin cruiser, terrible condition) for the National Federation of the Blind of Washington. It recently sold for \$1,250.00. During convention time I ran the ad in the Anchorage Times once, then once again the following week. We have been given a 1978 Chrysler Newport auto (showroom condition) appraised at \$4,700.00. National Federation of the Blind of Alaska will sell it for probably \$3,500.00.

As you can see, the ad is simple: 4 column inches. I pay a 25% premium and get it on the Wednesday business page. It will not attract a lot of calls. But the calls you get are going to give. It's best to refuse "junk" cars and other items of minimal value. If you can't sell it quickly down the street, don't accept it.

The principle is the same as The Salvation Army and Goodwill have used for years, but instead of everyone, we appeal only to the upper brackets. And instead of old clothing and ironing boards, we aim for boats, planes, cars and the like. The principle is simple: Cash is too "expensive" to give, so give property. There's no out-of-pocket cost and more often than not, the appraised value is higher than what they could expect to actually receive.

Refer to IRS publications 526 (Charitable Contributions) and 561 (Valuation of

Donated Property). Have someone in the affiliate undertaking the project be thoroughly cognizant of the rules and law contained in these brochures. By referring to the forms I have mentioned, all the information IRS needs is supplied, and the donation is completed simply.

I hope others can have the luck we've had.

Sincerely,
Scott H. Lewis

PROPOSED NEWSPAPER AD

CONSIDER THE MANY
TAX BENEFITS
AVAILABLE WHEN YOU DONATE YOUR PLANE, BOAT, LAND,
AUTO OR OTHER PROPERTY TO THE BLIND.

IRS GIVES MANY ADVANTAGES TO DONORS. OUR NON-PROFIT ORGANIZATION WILL
HELP YOU GET THE BEST LEGALLY-ALLOWABLE BENEFITS.

CALL _____ AT _____

OR WRITE:

NATIONAL FEDERATION OF THE BLIND OF _____

AT _____

THE NASH CASE IN FEDERAL COURT: AN UPDATE

by *James Gashel*

It all started about five years ago when United States Department of Defense officials decided to cancel an agreement they had with the State of Georgia, which had allowed Jessie Nash to have a vending facility. Now it has become a landmark case of major significance to the rights of

blind people everywhere. With Federation backing from the very beginning, Jessie Nash challenged the closing of her snack bar, located at the Marine Base in Albany, Georgia. Her protest was not primarily aimed at the Defense Department but at the State of Georgia for refusing to take a

stand and give her the assistance to which she was entitled under the law.

There were numerous delays caused by both the state and the federal governments, but the case finally went before an arbitration panel which met in October and December, 1979. The events which led to this arbitration, and the panel's decision itself, have been reported in previous *Monitor* articles. The case is now undergoing review by a federal judge in the United States District Court for the Northern District of Georgia. It got there because the State of Georgia is appealing the "Arbitration Award" which was issued in favor of Jessie Nash.

It is easy to see that this dispute, first arising between Jessie Nash and the Business Enterprises Program for the Blind in Georgia, has now grown to a matter of immense proportions. The current cast of characters or parties in the lawsuit, alone, tells the story. Here is the list of plaintiffs and defendants as they appear in the official records of the United States District Court: Georgia Department of Human Resources, and Georgia Department of Human Resources, Division of Vocational Rehabilitation, Plaintiffs, vs. Terrel H. Bell, Secretary of Education, in his official capacity; United States Department of Education; Frederick Sachs, Acting Commissioner of the Rehabilitation Services Administration, in his official capacity; Rehabilitation Services Administration, Jessie C. Nash, and National Federation of the Blind, Defendants and Defendant Intervenor. That list, in itself, is enough to fill a good sized portion of a sheet of legal stationery, but there's more—much more.

It will be noted that the NFB has now become a named party in this litigation, as "defendant/intervenor." We took this step in furtherance of Resolution 81-07 passed by the National Convention last July. Marc

Maurer is the attorney of record on our behalf.

This is the first court test of several provisions contained in the Randolph-Sheppard Act. The fact that it is a first makes the process and the ultimate judgment crucial. But the issues, themselves, would be crucial at any time. The questions to be ruled on by the court may be summarized concisely: "Are blind vendors entitled to the protection of the state agency which supervises the Business Enterprises Program in the event that a vending facility is lost or threatened through no fault of the vendor?" Conversely: "Does a state agency have the right not to defend a blind vendor against loss of a stand, when the loss is not the fault of the vendor, and there is a law which can be used to preserve the facility?"

Jessie Nash and the NFB have said "yes" to the first question and "no" to the second. The federal arbitration panel agreed. Under the Randolph-Sheppard Act, any blind vendor may have a dispute of this type submitted to "binding" federal arbitration.

The procedure is fair. The blind person appoints one member of the panel. The state agency appoints a member. These two members are first to attempt to appoint a third member, the chairman, but if they cannot agree upon a chairman, the Secretary of Education will choose one. Then a hearing is held and a decision is issued. The decision is the "final agency action" of the Department of Education, but whoever loses may ask for a review and reversal of the decision by a federal court.

The appeal by the State of Georgia was expected, since there was nothing more to be lost, and taking the matter to the courts would eat up more time, stalling off, perhaps for years, the final day of reckoning. In filing the appeal the state charged that the decision in favor of Jessie Nash was,

among other things, based upon an incorrect interpretation of the Randolph-Shepard Act, that it was not supported by the evidence presented to the arbitration panel, and that enforcing the panel's order would overstep the authority and administrative discretion of the Department of Education. Since the appeal was based on the record of the arbitration proceedings, itself, a trial is unlikely. As this article is being written, all parties, including the Federation, have filed motions before the court, asking the judge to decide the case under a procedure known as "summary judgment." So, it seems that everyone at least agrees that another hearing would be unnecessary. Early in the summer briefs were filed by all parties, and a decision may be issued shortly.

From the outset of the appeal it was clear that the final judgment to be reached by the court would have to address the important issues of vendor rights, already mentioned. But as the litigation has developed, other matters of great significance and challenge have surfaced. The chief one is the role now being played by the federal government, which originally convened the panel and paid for the arbitration. In theory, the decision of the panel is the federal government's decision, or at least this is what the law seems to imply by calling the decision "binding" on the parties and describing it as the "final agency action." This is a legal phrase, meaning that a government agency has decided some question and announced the action to be taken. Thus, an arbitration award fits squarely into the terminology, and one would have every right to expect that the agency involved, the Department of Education, would come forward to defend itself against an appeal. After all, this is exactly what government agencies are accustomed to doing after they have decided something

and someone tries to challenge their action.

But the Department of Education has approached the decision and appeal in the Nash case in an entirely different fashion. In fact, rather than defending the panel's rulings, as it would normally defend any other "final agency action," the Department of Education has stated in its briefs before the court that the arbitration award is in error in several respects and that the decision should either be reversed altogether, or should be sent back to the Secretary of Education for further consideration of certain issues.

Imagine what this astounding turn of events could mean if the court finds merit in the government's position. Jessie Nash, or any blind vendor, appeals an action of a state agency, in this case the loss of a vending facility which provided the sole means of financial support. Four years later, after numerous delays in hearings, not to mention the expenditure of thousands of dollars for legal fees, a favorable judgment is handed down from a lawfully convened arbitration panel. But this is only the beginning, rather than the end. If the Department of Education does not like the decision for some reason, it may never be enforced, or there may be an attempt to reverse the decision altogether. Thus, the award which is issued by the panel becomes meaningless. And what is worse, the blind vendor now faces two opponents—the state agency against which the grievance was originally filed, and now the federal government, the very agency which convened the arbitration panel in the first place and which now seeks to reverse the panel's order. What an astonishing misuse of the legal process designed by Congress to provide vendors a mechanism for resolving disputes with state agencies.

Whether the Judge will be impressed by the position taken by the government or

see it as a thinly disguised piece of legal trickery, no one can, of course, tell at this point. More certain, however, is the major blow which has been struck against the entire arbitration process, itself. There is no assurance that this will be erased by the outcome of the Nash case in the Federal District Court, although the decision may touch upon the government's current posture concerning arbitration. The battle is not nearly over. Yet, by all that is right and just, it should be.

What started in Georgia as a relatively straightforward dispute over the priority for Jessie Nash to have a vending facility under the Randolph-Sheppard Act has now become a battle of high stakes for all of us. And in this battle we are clashing head-on with both the State of Georgia and the government of the United States. But this kind of struggle is what our movement is all about. Let there be no doubt concerning our resolve. We will be there until the end—because we are right. Jessie Nash is only one of us, but at the same time she represents what could happen to the rest of us. This is why, as a movement, we continue to stand tall on her behalf. And it is also why we have joined in unity together. Let us never falter or fall back, and let us not fail to share our strength, our commitment, and our resources. This is the essence of the challenge of our movement—and, of course, we will meet the challenge.

And where, during all of this long battle,

have those others been who claim to be advocates for the blind—and, particularly, for the blind vendors? Where have the Randolph-Sheppard Vendors of America been, and where has their parent (the American Council of the Blind) been? For that matter, where has their grandparent (the American Foundation for the Blind) been—and their uncle NAC? And their relative of mixed parentage, the Affiliated Leadership League of and for the Blind? Where have all of these “advocates” been? Why are they not parties to the lawsuit? Why are they not standing by our side fighting for the rights of the blind vendors?

They say that this sort of thing is not their proper role, but National Industries for the Blind has no difficulty in hiring expensive lawyers and going to court to keep blind shopworkers from organizing. So apparently it is alright for National Industries for the Blind to fight in the courts to put down blind shopworkers, but it is not proper for the agencies to fight in those same courts to assist the blind vendors. And, of course, the American Council of the Blind falls dutifully into line.

The blind, along with those agencies which are truly friends of the blind, should think carefully about this situation. The Nash case has more than legal significance. It speaks of morals and commitment and ethics. It also gives another answer to the question: Why the National Federation of the Blind.

A NEW LOOK AT SOCIAL SECURITY PROBLEMS AND OPPORTUNITIES IN THE 1980'S

Mr. Paul B. Simmons, Deputy Commissioner for External Affairs of the Social Security Administration, spoke to the

National Federation of the Blind Convention on Thursday, July 9. Dr. Jernigan said in introducing him: “Mr. Simmons is a

man who ought to be able to speak to us at the policy level. He is one of the top people who has been brought in by the new Administration. He was appointed Deputy Commissioner for External Affairs of the Social Security Administration by Secretary Richard S. Schweiker who, as you know, is head of the Department of Health and Human Services. He has been a government official in New York and in Illinois and has served as a special assistant to the Secretary since March. As Deputy to Commissioner John A. Svahn, he will be responsible for SSA's activities as they relate to Congressional affairs, to state and local government, to interest groups, and to the press. He will also oversee the Office of Hearings and Appeals, which is important to us. It operates a nationwide law court system with more than 700 administrative law judges disposing of more than 250,000 cases each year."

Mr. Simmons spoke in part as follows: "I would like to say that your organization has an excellent intelligence network. I had hardly been sworn in (I think it was about twelve minutes) when Dr. Jernigan was on the phone saying, You're going to come here on this day at this time. I told him I'd be glad to come if the Congress would let me come out and play. Fortunately, Congress did. Our latest hearing was last Monday. They are having hearings this afternoon, but I don't have to be there. I and some of the people from the agency here with me will have to go downtown for a special briefing on what's happening with Social Security as it affects all of us. We decided to bring our briefing out here with you because there are so many of you, and you had such a good day in Washington yesterday.

"I'm sure you're quite aware that there are some problems that are largely financial in Social Security. They are problems that

are going to take some pain to solve. They are problems that are going to take some courage on the part of the Congress and this Administration to solve if we are going to have a system that continues to pay benefits to the people now on the roles (and there are 36 million) and a system that will last long enough for the 115 million now paying into it to get into their retirement or to tide them over in any disability problems that they run into. Today the Senate Finance Committee is having the third or the fourth in a series of meetings. They have heard the bad news from us. I believe today or tomorrow they are going to be hearing from some people who just don't believe that there is any bad news and don't think there is any problem at all. When you hear people saying that, this is the demagogue's way of making hay out of an issue that affects every one of us. We can't let it go by.

"The biggest problem we have right now in the system is to restore financial sanity to the system and to restore public confidence in it. Public confidence is the key to it because public confidence lets us pay for it and keep the system going as an entity.

"We have two crises. One is a very short-term crisis over the next five years. Unless we do something this year, it is possible that we would have delays or no benefits sometime late next year. There has to be something done. We're confident it will be done. And we're confident it will be a bipartisan approach to having it done. Somewhere between now and 1986 we have to make up somewhere between ten and one hundred and eleven billion dollars in the short haul of the trust funds. That's an inescapable fact. I think everyone agrees with that, even some of our severe critics like Mr. Pepper on the hill. Even as he stands there and tells us there is no problem, he has his own bill in to insert \$156

billion into the system over the next six years. With that kind of recognition of the facts, I think we are half way there.

"The reason for the short-term crisis is quite simple: Despite the biggest tax increase in peacetime history which was passed in 1977, that tax increase, which was expected to rescue the system, was not enough because the economy did not do what the Congress and the then Administration projected it would do. We find ourselves right back here four years later on the brink of the same crisis everyone was seeing in 1977 when that tax increase was passed. At this very moment the three trust funds combined (the Social Security, the Disability, and the Health Insurance Trust Fund) are losing \$12,300 per minute. If I talk for ten minutes, it would be \$123,000.

"The long-term crisis is one of simple demographics. The figures speak for themselves. In 1950 there were sixteen people paying into the system for every single beneficiary receiving benefits from it. Today there are 3.2 workers paying into the system, and 45 years from now there will be only two. Taxes are already scheduled to rise up to \$10,000 per person by the end of the 1990's. Obviously, the taxes are going to have to go up even higher early in the twenty-first century if we're going to have those two people supporting that one beneficiary. This is the problem we face, and something has to be done.

"There are a variety of approaches. One is simply to raise the retirement age to 68, 70, or whatever the year is you need to back into the savings that you need. We say no. We say that the traditional commitment of the system for the past 46 years has been the retirement age of 65, and we want to preserve that. Our proposals discourage early retirement but keep the age 65. We think it would be a major break of

the faith to change the age 65. Another alternative is simply to raise taxes and walk away from it. This cannot be done. A person entering the work force today and expecting to work for a normal life span—that person is already scheduled under present law to pay over \$300,000 into the system over that work life. To say that we should raise taxes even more is just not going to sell at a time when both houses of Congress and both parties are fighting among themselves over how much to cut taxes. I don't believe the Congress or the American people are in a mood to have any more taxes raised. Another possibility would be to put a tax benefit or a means test on the basic Social Security program. We would say that if you have so much money, then you wouldn't get so much benefit. This would violate the basic premise of the system. It's a social insurance system, and it was intended as that. It was intended to be a return for people who spent their lives working and paying into it. To turn around and say: Now we're going to put a means test on this program which has always been seen by you and the American people as an insurance program would be wrong, and we're not going to countenance that. Another way to do it would be to transfer some so-called general revenues into the Social Security Trust Funds. That's well and good when times are good, but there are no general revenues. That's like Senator Armstrong says: That's like using Amtrak money to bail out the Chrysler Corporation. To put general revenues into the fund would be the equivalent of putting on about a five percent surtax on income taxes. A tax is a tax is a tax. No one is going to pass that.

"Another alternative would be to cut current benefits and current beneficiaries. There is a lot of sentiment on the hill to do things like change the cost of living increase

that now is a feature of the fund. We say no to that also. We believe that the people who are on the Social Security and Disability systems should be protected from inflation. It's the government's job to help get inflation down. If the government can't do it (as it has proved it has been unable to do in the past anyway) then people shouldn't suffer for the government's inability to keep control of the economy.

"That leaves us with only one alternative: To cut future benefits and beneficiaries in some way in order to bring the system into balance, and this is what the Administration's package proposal seeks to do.

"Before I talk briefly about the five different ways that we approach this, let me say up front that we are proposing no changes, and we will accept no changes in those special provisions that this Federation has worked so hard to get into the law to meet your special needs.

"What we do do is to take a five-pronged approach to the problem. The first is to reduce some of the welfare elements that have been allowed to creep into the system—things like the automatic student benefits, which is not means tested, and the minimum benefit, which is not means tested. In good times when those were passed, they were very appropriate. At a time when we're losing \$12,300 a minute and every single penny is vital to the basic benefit structure, then we don't think that we can afford those. Moreover, the student benefit feature was added at a time when the Federal Government was only paying about \$650 million a year in direct student aid. That figure is now \$7 billion. We believe that those who really need those benefits can find them through other mechanisms in the federal, state, and local programs.

"Our second approach is to actively discourage early retirement. This is one of the

elements which has drawn the most lightening. We recognize that because our approach is to implement this immediately as early as next January. This will not pass in the form that it has been proposed, but I believe that a version of it will with a phased-in disincentive. Under present law you can retire at age 62 and draw 80% of benefits for life. Our proposal would lower that figure to 55% in order to encourage people to stay in the work force until the traditional retirement age of 65. That's our response to those who would raise the retirement age outright and forget about the early retirement altogether. We say that we ought to keep that 65 and then there ought to be a sliding scale of benefits between age 62 and age 65. Something that the news media have not focused on is that under our proposal you would receive that 80% benefit when you reach the age of 63 and eight months. That's a one year and eight month delay from current law. That's all we're asking, but that delay could make all the difference in the short run and the long run in this system.

"The third approach that we're taking is to try to bring the disability program closer to the work place. Under present law, for example, it is possible for a person who hasn't worked for five years to still be eligible for full benefits. We're saying we should move that closer by two and a half years. That provision was put into the law long before there was SSI or any other mechanism to help those who are really in need. Secondly, nowhere in the private sector could you buy an insurance policy which would pay dividends five years after you stopped paying premiums on it. That has drawn some controversy, but I believe that some version of this approach will pass.

"The fourth area is to generally adjust

the future benefit structure, not for those now on the rolls, but the future benefit structure, to bring it down about an average of ten percent over time to where it would have been if the Congress had not made the fantastic mistake in 1972 of double-adjusting benefits . . .

"Finally, we are proposing that windfall benefits be eliminated. Federal workers, for example, are allowed to come out of a federal job with a large pension, dip into the private sector and work for a couple of years, and then pick up an untoward benefit. We're saying that any such person should have that federal pension taken into account when the Social Security check is figured. There are those who say that all federal workers should be covered and be made a part of the system, and there's a lot of logic in that. But there is no financial logic in it, because it wouldn't do a thing for the trust funds.

"I appreciate Dr. Jernigan's remarks about our agency being responsive. We try to be, but we are large. It is very difficult for an agency that large sometimes to remember what its agenda is. It is a personal agenda of Commissioner Svahn to make the agency more service oriented. When he came into office he said he had three goals: He wanted to restore the public's confidence in the system, he wanted to restore the soundness of the system, and he wanted to restore the agency's confidence in itself. Social Security touches more people than any other agency in Federal Government. It's the first agency we come into contact with, and it's probably the last agency we will deal with in our lives. To do that, he has convinced the President and OMB and the Secretary to remove the freeze on employment that has existed on most other agencies and government, and he has gotten the guarantee that we will have the resources we need, includ-

ing new computer systems that will replace the bucket of bolts that we're now trying to operate this system under. He's trying to invigorate our training programs, and I know that's been an issue with the Federation—the sensitivity of our people to the needs of the blind. He is going to revamp the training operation in our agency. Just this morning I was talking to him about one of the problems that has long been an issue and that this Federation has long championed. As a matter of fact, you even sent us Jim Omvig to burrow his way into the bureaucracy and start making policy and making things happen. He has made something happen. Jim was chairman of a task force that has spent the last year (and he was involved in the issue for several years before that) on the simple issue of whether or not we're going to allow a blind Claims Representative to go beyond a middle level grade which has effectively stopped those people from progressing in our organization. We've long had a policy (it hasn't been written, but it's been there) that a person who goes into the system and wants to be a Claims Representative (and that's the most pivotal person in the agency, the person who has the contact with the public), but blind Claims Reps have been blocked at grade seven from time immemorial. That means that instead of being on a career ladder, they're being left on a middle rung with no more rungs to climb. As of tomorrow the Commissioner will sign an order that will make those people eligible for promotion to grade ten and get them on the career ladder where they belong.

"I will conclude with the thought for the day that I have selected from your able President's speech of yesterday. "Since 1933 a growing number of government and private agencies have been established to give us services. Many of these agencies

have been helpful and constructive. But increasingly, they have turned away from their original purpose to build empires and enlarge their staffs. Service has become secondary.' Well, service won't be secondary in the Social Security Administration. You can count on it."

Dr. Jernigan said: "What he read was in the *Washington Post* this morning, which shows some publicity for our efforts." Then, Dr. Jernigan continued: "We had a most unfortunate set of circumstances a few months ago with Social Security. I think we somewhat have it solved, but it shows the progress we've made and the distance we still have to go. We have a project called Job Opportunities for the Blind. That project is jointly sponsored by us and the Federal Department of Labor. It attempts to help blind persons get into competitive employment, both in government and in the private sector. We have assisted, during a little less than a year and a half, 113 blind people to get into not just so-called employment but competitive employment; and we're only on the threshold of what we're doing. Now, we heard that there were new jobs available at Social Security, and we made an arrangement for some people to come in early for a seminar and go out and speak to people at Social Security. These people were coming in for a Job Opportunity training seminar. They were to go out and speak to Social Security officials about the possibility of jobs and to be interviewed. We didn't expect that they'd be hired that day, but we wanted them to be interviewed and considered. Well, they got out there. The person who was going to see them had shifted them to somebody else, and the other person said they really couldn't interview them at all that day. They talked to them a little bit, and they sent them back. These blind people were fighting, hopping mad. So I got

a hold of the person I usually beat on in Social Security when I've got problems, Mrs. Bader. I said: Look, these people are going to be seen. If they're not, we'll do all kinds of things. We'll picket the place. We'll put statements in the newspaper. We'll raise a row. She said: We can work it out. Let's get something done. I said: Now! It's got to be done now, within the next hour. She said: You know, I can't work miracles, but I'll do what I can. Sometimes the demands we make on her are reasonable and sometimes not. Anyway, these people went back and they were somewhat more happy the second shot around than they were the first time. I think some jobs may come out of that, but it shows the kind of mix-up. They were told that unless they went through the state rehab counselors that they couldn't be considered for appointment. That's just a bunch of foolishness. The law doesn't say that, and this Administration commits itself to trying to get rid of silly red tape. Nothing can be gained by having those people go back to their rehabilitation counselors. That kind of stuff ought not to be. Do you want to comment on that or do you want to tell me you'll look into it?"

Mr. Simmons answered: "I will comment on it cold, and I will say that I will not look into it. That's exactly the kind of thing we're trying to get out of the system. I'm not familiar with all the details about why the job counselors have to be involved. It's probably the interrelationship of law, red tape, and just plain stupidity on the part of the system. If it's from our side of the government, we'll do our best to cut it."

Dr. Jernigan said: "If nothing else were accomplished by your coming here to speak to all of us except that, it makes it eminently worthwhile for us and I hope worthwhile for you. We want, just as much

as any administration could, to see that every dollar that's appropriated goes to *help* blind people and not into useless red tape."

Mr. Simmons said: "This Administration fully agrees with that premise, and that's what we're trying to do. We can't guarantee we're going to make it in every case, but we're sure going to try."

Dr. Jernigan went on to another matter and said: "We have tried to get earnings tests eliminated for blind persons receiving disability insurance. We have because some people who are blind have tended to find it easier and safer to not work because of the disincentives built into the law. When we went to Congress last about this, we almost got the whole job done. The conservative members of the House Ways and Means Committee spearheaded a drive to help us get blind persons so that they had the same amount of exempt earnings before losing Social Security as retirees. They helped us get that far. Over in the Senate you had Senator Thurmond, Senator Goldwater, Senator Tower—those great liberal senators—spearheading a drive to eliminate it altogether. This Administration has said that it wants to remove the earnings test on retirees receiving Social Security and since people of this Administration helped us get the same status as retirees (other disabilities do not have that; the blind have a special status on that because so many of us are in the working years and it affects our situation differently according to the Congress), are you in a position to tell us what your own notion would be, your supposition, your guess, your wish, or any other thing you'll comment on as to whether or not if you can get the earnings tests removed for retirees (and we are now categorized with them) will you take us along with them?"

Mr. Simmons answered: "You're right.

We have proposed that the earnings test for retired people be phased out over a period of years. It has to be phased down because it is an immense cost to the system. Phasing out the earnings test for retirees will probably cost about \$6 billion, even as it's phased in over time. We went for it now because it is one more reason for people to stay in the work force beyond 65 and keep contributing to the system. This new Administration has not yet examined the issue that you are speaking of. I can assure you that we will. If and when it makes economic sense, it will be very seriously considered."

Dr. Jernigan said: "Seventy percent of the blind people in the employable years who could work and want to work according to our best information are not working. Very often the reason is that they're afraid to venture because they've got at least a little to keep them alive. Some get a job and hold it for a few months until they've lost their work trial period and then something happens that they are no longer working. They move or they get laid off. Then they have bad choices. They don't dare go out and earn. It would make sense economically. You are high enough in the Administration to comment on this. The Congress has already seen fit to classify the blind with retirees. If this makes sense for retirees, oh how much more sense it makes to give blind the incentives and take away the disincentives. We will contribute enough to the Treasury in earnings to do a great deal. Will you promise us here today that you will personally see that this is looked into and that we can then have some kind of indication of what the thinking of the Administration is on it?"

Mr. Simmons said simply: "You make a powerful case for it, and we will take a powerful look at it."

Mr. Gashel posed the next question. He

said: "Social Security does an absolutely terrible job of explaining the special provisions regarding blindness both to the blind public and to the Claims Representatives at Social Security. Something ought to be done about that. Literally thousands of blind people are being denied benefits that the law entitles them to receive. We've raised this matter with Social Security representatives at previous conventions, but I want to raise it again with you and see what we can do about it. Number one, would you look into the methods and work with us on better methods for adequately informing Social Security Claims Representatives as to what blind people are entitled to in terms of special eligibility provisions? Number two, would you work with us and publish and distribute widely materials to the blind who are potential beneficiaries, materials that explain in clear language what the special eligibility rules are both in SSI and SSDI?"

Mr. Simmons responded: "It is a principle with our Administration to serve. It is not a principle to short-change anyone as a way of saving money. That is going to be an operating principle of the Social Security Administration as it should be. There has been a lack of attention over the past several years to the training function of our own people. In part, that's been oversight; in part, that's been because the agency has been so busy reorganizing itself. We're going to put a stop to that. We're going to start focusing on how to make this Administration serve better. That is certainly one of the principles that we've got to get across to the people. When someone is eligible for a benefit, that benefit should be explained, it should be offered freely, it should be paid promptly. I can't promise you today at what point every one of our 83,000 people is going to be an expert on services. I can tell you that we're going to

do our best to make them experts on everything that we offer."

Dr. Jernigan followed that with another question: "Do you believe you would be in a position to do one of these things: Arrange to have one of your people work in conjunction with Jim Gashel to write up a simple, straightforward explanation of those special provisions in the law affecting the blind, to be prepared jointly and distributed as a readily available reference? Or, if you cannot and we prepared it ourselves, would you then review it, pay for its publication, and distribute it if you find it to be factual? If you cannot do that, if we prepared it and we paid for its publication and it is factual, then will you distribute it? If you cannot do any of those, why not?"

Mr. Simmons answered: "Under any or all of those conditions, yes we would do that. After your convention is over, I'd like to get together with Jim Gashel and some of our people and let's explore that. We will see what is needed and see if we can't work something into our basic training also so the next generation of Claims Reps and this generation of Claims Reps will know what's going on."

Dr. Jernigan said: "I have this final comment before we take questions from the floor. I think our discussion here today has been one of the most productive we have had with any Social Security representative ever."

At this point Resolution 81-13 was read as follows:

WHEREAS, the Social Security Administration has established fair and equitable policies with regard to the employment of the blind—for example, Exhibit Number 306-6-A of the Department of Health and Human Services Plan for Recruitment of Handicapped Individuals, Section E Action, adopted July 1, 1980, which reads in part as follows: "(2) Recruitment Sources . . .

(b) Target on such recruitment sources as: American Association for the Advancement of Science (AAAS) with its Resource Directory of Handicapped Scientists. College campus organizations serving disabled students. Independent living centers and other emerging institutions that serve handicapped persons. JOB—(Job Opportunities for the Blind), conducted by the National Federation of the Blind in partnership with the U. S. Department of Labor.”; and

WHEREAS, the Social Security Administration (like all federal agencies) is required to have written Affirmative Action programs which are acceptable to the Equal Employment Opportunity Commission, and the Social Security Administration has such an Affirmative Action Policy; and

WHEREAS, the carrying out of these policies is not ordinarily, but could be, monitored by the Equal Employment Opportunity Commission; and

WHEREAS, it was announced by an Associate Commissioner of the Social Security Administration at the 1980 Convention of the National Federation of the Blind that the Social Security Administration will hire well-qualified blind persons as Claims Representatives and promote well-qualified blind employees to this position; and

WHEREAS, blind persons are now working as Claims Representatives in only a limited way, no blind person having yet been allowed to take the responsibility for Adjudication of Claims; and

WHEREAS, the Social Security Administration does not practice its policy of fair employment of blind persons as demonstrated most dramatically on May 4 and 5 of this year when four blind persons recommended by Job Opportunities for the Blind were treated in a most off-hand and casual manner by the Selective Placement Coordinator of the Handicapped and other inter-

viewers. For example, these applicants were told that they could not be considered without written endorsement from rehabilitation counselors; that they did not qualify for positions at the Social Security Administration; that Social Security was not hiring just then (this last in spite of the fact that the *Federal Jobs* magazine stated shortly thereafter that 1,000 positions were open in the Social Security Administration, most of them in the Woodlawn office, the very place these four applicants went to apply for employment); and it does not help that two months later one of these blind applicants is being offered a position for which his application was discouraged; and

WHEREAS, blind individuals must be interviewed by a Selective Placement Coordinator of the Handicapped before seeing anyone else at the Social Security Administration; and

WHEREAS, blind individuals are generally considered for only certain positions in which blind persons have been employed in the past, such as the Teleservice Representative, and they do not receive serious consideration for other positions. For example, two of the applicants who applied in May were recommended for consideration as trainees for Teleservice Representatives, but it appears they were not considered for any of the 300 positions open in the Disabilities Benefits Program; and

WHEREAS, this separate treatment of blind persons which was designed to develop fair employment practices has resulted in the development of unfair employment for the blind, just as other systems that were intended to be “separate but equal” turned out to be “separate and not equal”:

NOW, THEREFORE, BE IT RESOLVED by the National Federation of the Blind in Convention assembled this 9th day of July, 1981, in the City of Baltimore,

Maryland, that this organization call upon the Social Security Administration to give its employment practices of blind persons a *top level* review with a view to developing fair employment practices, as well as commendable employment policies; and

BE IT FURTHER RESOLVED that the National Federation of the Blind be in touch with the Commissioner of the Social Security Administration to learn the results of such a top level review and to learn the methods of implementation that will be used to correct the unfair employment practices in hiring blind persons; and

BE IT FURTHER RESOLVED that the National Federation of the Blind offer its

assistance as consultant in the review and implementation of the review.

Because Mr. Simmons had responded so positively to the requests made of him, this resolution was withdrawn by the Committee and the writer of it. Mr. Simmons said this about it: "I don't know the fact of the case mentioned in the resolution, but I do agree fully with the spirit of it, and I think you are going to find that we will work in that spirit in this Administration."

At the time of this writing, Mr. Gashel has already met with Mr. Simmons (see *Braille Monitor*, October, 1981), and work is progressing on the several projects discussed at the Convention.

RECIPE OF THE MONTH

by *Jim Walker*

(Note: Apparently Jim Walker, the well-known President of the NFB of Nebraska, is a man of diverse talents—including the concoction of interesting recipes.)

Gersten-Burgers

Ingredients:

| | |
|---------------------------|-----------------------|
| 2 lb. ground round steak | Worchestershire sauce |
| 2 lb. hot pork sausage | 1 Jalapeno pepper |
| ½ lb. Natural Swiss or | Salt |
| Limburger cheese (grated) | Fresh ground pepper |

Method:

1. Press ground round steak into 8 quarter-pound patties.
2. Press hot pork sausage into 8 quarter-pound patties.
3. Grate the cheese.
4. Grate the Jalapeno pepper into a separate bowl.
5. Press a pocket into one side of each of the meat patties.

6. Using fingers, press the grated cheese into the pocket of the pork sausage.
7. Spoon the grated Jalapeno pepper into the pocket of the ground round steak.
8. Carefully press one pork sausage pattie and one ground round steak pattie together so that the pockets are in the middle. Give an extra squeeze to secure the burger.
9. Prepare a barbeque grill or skillet, considering a medium-high fire or heat.
10. Cook for 15 minutes on each side, sprinkling Worcestershire sauce on the top about 5 minutes before removing from fire or skillet.
11. Salt and pepper to taste—if you need it.
12. Serve on a Sesame Seed bun or preferably, an Onion roll.

NOTE—FOR BEST RESULTS, EAT JUST BEFORE INDULGING IN NAC-TRACKING.

Credit for the Jalapeno pepper ingredient goes to our Treasurer, Dick Edlund.

MONITOR MINIATURES □ □ □ □ □

□ The Decline of Braille:

Mr. Aaron Evan Tauber, 1726 East 34 Street, Brooklyn, New York 11234, writes expressing concern about the declining interest in Braille. Specifically, he says: "The Sisterhood Braille Group at the East Midwood Jewish Center in Brooklyn has been in existence for twenty-five years or so, and were it not for its able and dynamic Chairperson, Sylvia Aig, it probably would have disbanded many years ago. Over the years, the volunteers have done a fine job, but the group's Braille classes have gotten smaller and smaller. This, despite repeated efforts to obtain newspaper, magazine, and radio publicity—generally to no avail. Perhaps you will regard this as a local matter, but the all embracing point is the continued necessity of positive, consumer oriented library service which is tied in

with the ability to produce publicity that will generate a continuing supply of volunteers to produce Braille. As you and other leading spokespersons in the movement have often made clear, Braille is one of the major tools which can be used to help us in our continuing march to full equality, first-class citizenship, and independence. I would, therefore, greatly appreciate any advice or suggestions concerning ways to generate successful publicity to lead to increases in the size of our yearly classes of volunteers to learn to produce Braille.

□ From a letter from Hazel Staley, President of the National Federation of the Blind of North Carolina:

"As you probably remember, Bob and I live in a condominium. There are 97 condominiums and 300 single-family units in our Home Owners' Association. I'm not a person that can just sit around and hold my

hands; so last fall when I was not Federation president anymore, I decided to run for our Home Owners' board. In January when our new board began to organize itself, they asked me to be president. I said that I didn't want that much responsibility, but that I would take vice president since I was at home all day and could help the president take care of things that needed to be done. At our board meeting a couple of weeks ago our president announced that he had gotten a promotion on his job and would be traveling rather extensively and could, therefore, no longer serve on the board. Consequently, I was moved up to president."

□ Kansas City:

When the Hyatt Regency disaster occurred recently in Kansas City, the blind (like others in the community) showed their concern and did what they could to help. Federationist Jim Moynihan was among that number. The *Kansas City Times* for July 18, 1981, said:

"Typical of the donors who turned out as soon as they heard the news was James Moynihan . . . 'I was listening to a rebroadcast of an old Giants-Yankees World Series game on the radio when they cut in with a bulletin on what had happened,' said Moynihan as he grasped his waiting-list number and settled into one of the few chairs in the lobby. 'I knew I had to get down and do what I could. I called a cab, and when the driver found out where I was going, he said he had already taken several people down to give their blood.'"

□ From President Jernigan:

If anyone doubts the far-reaching influence of the *Braille Monitor*, let him/her consider recent events involving Delta Airlines.

The August issue of the *Monitor* carried an article concerning Paul Kay's experiences on a recent Delta flight. Only a few days after the disc issue was mailed (and well before the print issue was in circulation) I received a call from Delta's Director of Public Affairs. He said that the *Monitor* article had been discussed by top management in a staff meeting that morning and that he would like me to send him a copy. I told him I would, and I did. Even before his call, I had been dealing with the people who train Delta's employees. We had been considering ways of replacing confrontation between blind persons and flight crews with positive actions to bring understanding and cooperation. The August *Monitor* and the call from Delta's top management gave emphasis to the effort.

I spent Wednesday, September 23, at Delta headquarters in Atlanta participating in a half hour film about blindness, which will be used in training Delta employees. Not only did I talk about what blindness is really like—I also demonstrated how a blind person would find a seat, step over the legs of a sleeping passenger, get through a crowded airplane aisle, and such like. I think it was a day well spent and that it will help make airplane travel more pleasant for the blind—and probably for the flight crews as well. Incidentally, I also got a twenty-five dollar Associate from Nancy Kilch, the very pleasant and perceptive woman in charge of the training project.

□ From the National Office:

Michael Hingson has produced a cassette of instructions for the operation of the Panasonic Talking Calculator. The cassette is available from NFB Headquarters at a cost of \$2.00. As *Monitor* readers know, the calculators are available from the National Office at a cost of \$100.00, and

the supply is now adequate to meet the demand.

□ New Catalog:

A cassette catalog of aids and appliances from Independent Living Aids is available at a cost of \$2.00. It is recorded at 15/16 IPS. To order, write to Independent Living Aids, 11 Commercial Court, Plainview, New York 11803.

□ Baby Boom Booms:

Michael Todd Thompson was born September 11, 1981, weighing nine pounds seven and a half ounces. His father is known to Federationists as a staff member at Federation Headquarters. His mother, Mary, is also an active member of the Baltimore Chapter.

□ From Scott Lewis:

Dear Dr. Jernigan:

If you hear of any blind persons who are interested in attending law school, tell them to apply here without fear of prejudice in the admissions process. The Student Bar Association here at Northern Illinois University has appointed me as their representative to the school's Admissions Committee. We screen applications for fall, '82 admissions.

I'd especially like to see some Federationists apply.

□ From Ohio:

A little Justice arrived in Columbus, September 10. Shaun Michael and his mother are doing well. Federationists will recognize the baby's father, Michael Justice, as coordinator for Job Opportunities for the Blind in Ohio. The decade of the baby prospers.
